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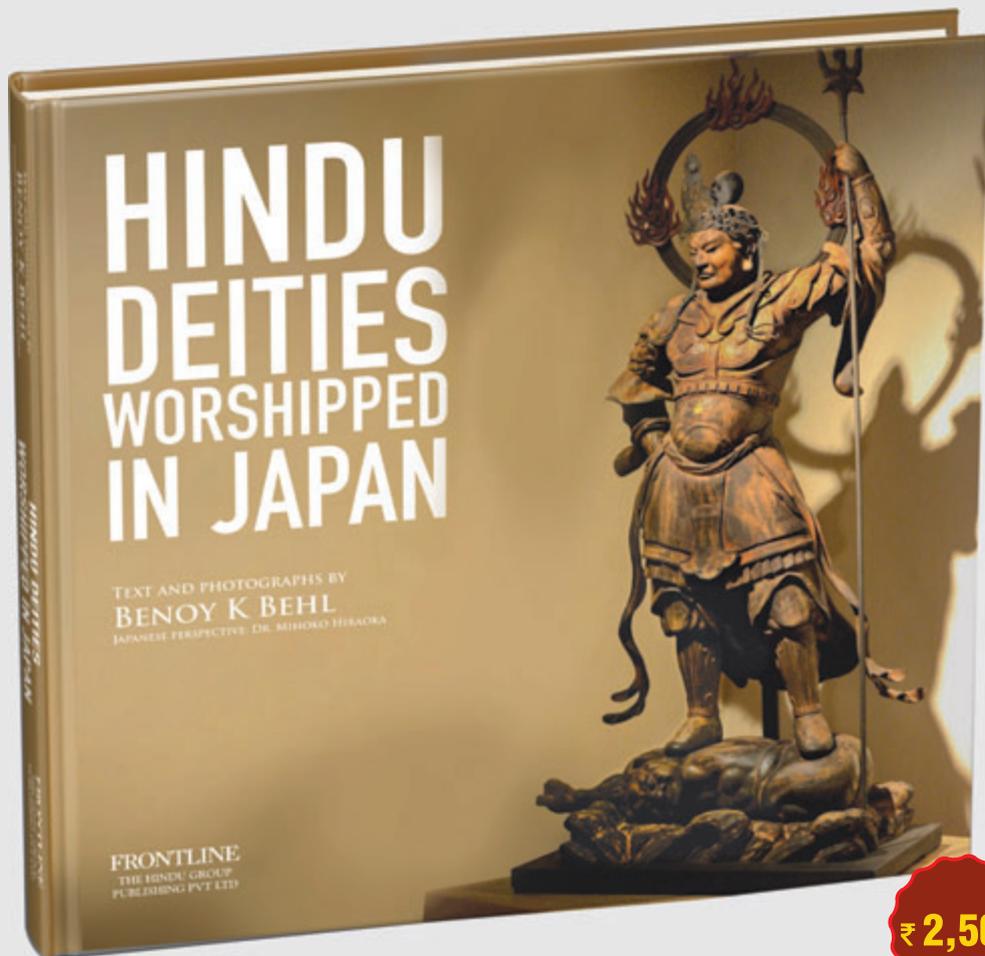
DANGERS OF DENIAL

Lockdowns were meant to buy time to put in place appropriate health measures and contain the coronavirus' spread, but they have failed to achieve the objective and have heaped immense misery on the marginalised sections of society. India is still in the exponential phase of the COVID-19 infection and community transmission is a reality that the government refuses to look at



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On the Cover: Inside a container truck near Hyderabad, migrants hoping to make it to their villages in Uttar Pradesh, on May 12.

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HOW NOT TO HANDLE AN EPIDEMIC

The lockdowns were meant to buy time to put in place appropriate health measures and contain the coronavirus' spread, but they have failed to achieve the objective and **heaped immense misery on the marginalised** sections of society. India is still in the exponential phase of the COVID-19 infection and community transmission is a reality that the government refuses to accept. **BY R. RAMACHANDRAN**

AS THE COUNTRY ENTERS THE FOURTH phase of lockdown, albeit with the easing of many restrictions and opening up of some essential economic activities, it is still not out of the COVID-19 woods. With the total number of confirmed cases (as against the true number of infections) standing at 1,12,359 as of May 21, the caseload is still increasing at the rate of over 5,000 cases a day. Although the graph may appear to be showing some signs of levelling off, given the past trend, it is not certain that it may begin to decline soon.

The growth factor—the ratio of increases in caseloads on two consecutive days—has continued to remain mostly a little over 1, which means we are still in the exponential phase (Fig. 1). Of course, the national picture reflects the situation in some problem States. Barring Punjab, the other States that were discussed in the *Frontline* issue dated May 22 continue to be problematic. Moreover, Madhya Pradesh and Rajasthan, whose trajectories had seemed to bend down from the exponential phase are now showing signs of trend reversal. Of serious concern will be the case of West Bengal, which will be subjected to the double whammy of COVID-19 and the supercyclone “Amphan”. The cyclone’s landfall and its continuing north-north-eastward trajectory over land,

HEALTH OFFICIALS conducting RT-PCR tests as part of rapid testing initiative in Visakhapatnam on May 6.

K.R. DEEPAK



which has just passed 270 kilometres north-north-east of Kolkata into Bangladesh, with wind speeds touching 70-80 kmph, is likely to result in widespread devastation of life and property in and around that region.

Interestingly, news reports suggest that, as in the case of the previous lockdowns (*Frontline*, May 22), the decision to extend the lockdown into the fourth phase was taken once again without the consensus opinion of the specially constituted National COVID-19 Task Force or other epidemiologists and medical experts. A member of the Task Force has been quoted in one of the news reports as saying that while lockdowns cut down the rate of transmission, they cannot stop transmission itself. This what the virologist T. Jacob John and the epidemiologist Jayaprakash Muliyil had told *Frontline*.

Vinod Paul, NITI Aayog member and Chairman of the Task Force, famously claimed in his presentation to the press on April 24 that India would see no COVID-19 case after mid May. Paul has now become a laughing stock, and the country continues to stare at the growing number of infections. The only answer the government seems to have is “lockdown”.

In fact, displaying utter ignorance, Union Health Ministry Joint Secretary Lav Agarwal is reported to have

said more than once at press briefings that because of the lockdowns and social distancing, cases may never peak in India. Even a schoolchild would know that this implies a never-ending outbreak. More pertinently, that is an epidemiological impossibility; the number of cases in any outbreak has to peak and then decline. According to Randeep Guleria, director of the All India Institute of Medical Sciences (AIIMS) and member of the Task Force, the peak caseload will probably be reached sometime in July. But, given the present trend, it is more likely to happen in late August.

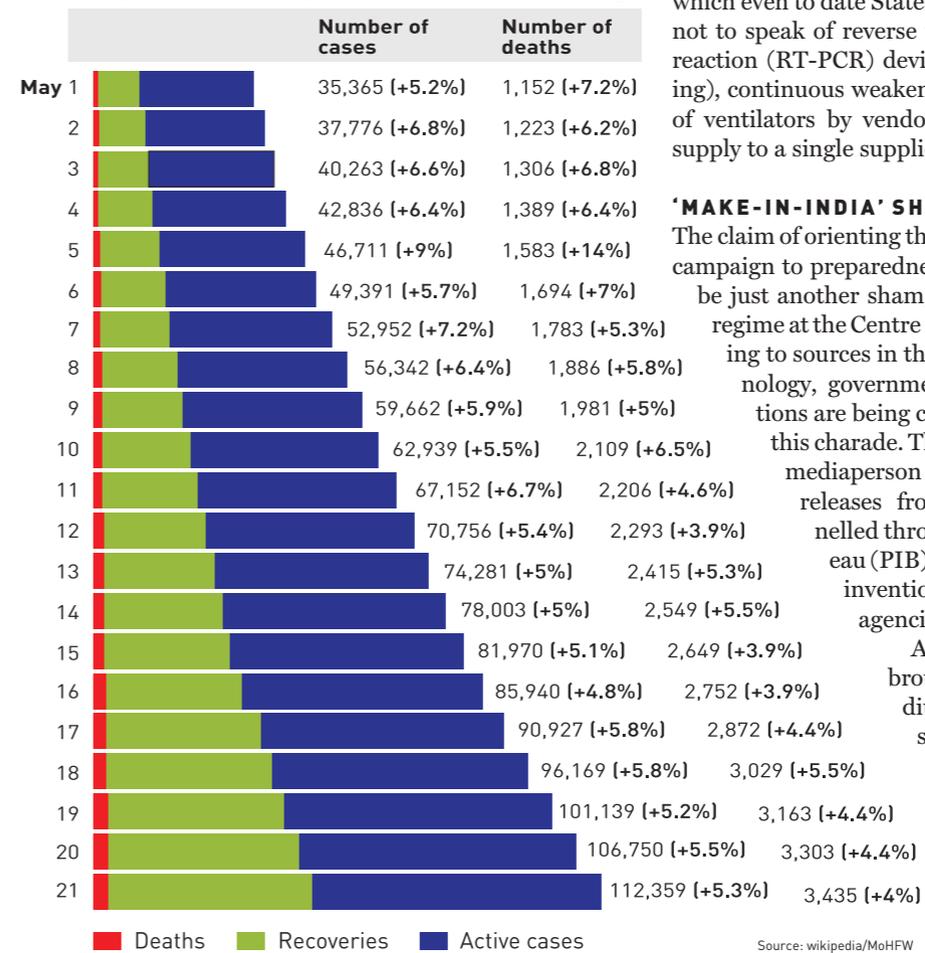
It has repeatedly been said that the idea of the initial lockdown (maybe up to the first two phases) was to buy time to put in place appropriate health measures, including scaling up of testing with broadened testing strategy, making testing kits available, supplying masks to the general public, effective and efficient contact tracing, strengthening and building the health infrastructure with the requisite number of hospital beds (particularly intensive care units), ventilators and ECMOs (extracorporeal membrane oxygenation machines) and, most importantly, giving personal protective equipment (PPEs) for health care workers. On all fronts, the measures taken by the government have been found wanting. For example, if import and distribution of rapid antibody testing kits to the States was a major fiasco (as a result of which even to date States are running short of these kits, not to speak of reverse transcription polymerase chain reaction (RT-PCR) devices, the gold standard for testing), continuous weakening of specifications for import of ventilators by vendors and giving the contract for supply to a single supplier are nothing short of a scam.

‘MAKE-IN-INDIA’ SHAM

The claim of orienting the much-touted “Make-in-India” campaign to preparedness for COVID-19 has proved to be just another sham, a characteristic of the present regime at the Centre in all spheres of activity. According to sources in the Ministry of Science and Technology, government research and R&D institutions are being coerced into becoming a party to this charade. The Ministry is on an overdrive. A mediaperson is today flooded every day with releases from various institutions—channelled through the Press Information Bureau (PIB)—with claims of discoveries and inventions by these institutions and agencies.

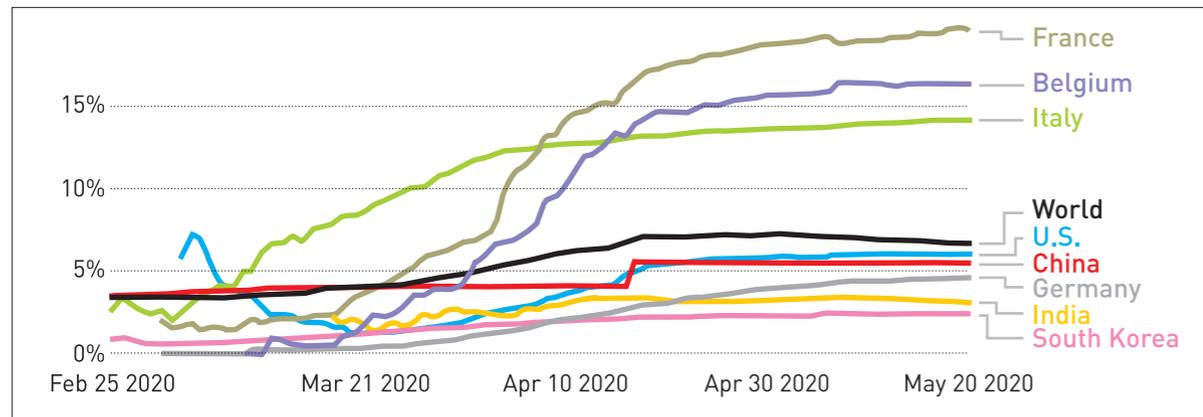
And to boot, the Ministry has also brought out a 156-page compendium of COVID-19-related research/R&D/products on the anvil from government research institutions, ranging from mathematical modelling to testing kits, masks, sanitisers, ventilators, vaccine and drug development and PPEs. Appar-

COVID-19 cases in India FIGURE 1



Case Fatality Rate (CFR) for select countries and the world

FIGURE 2



Note: European CDC—Situation Update Worldwide—Last updated 20th May, 16:30 (London time)

Source: OurWorldinData.org

ently, at 6 p.m. every day, all these institutions are required to report what has been done for COVID-19 during the day. The best sounding ones are compiled and issued as press releases that very day or the following day.

It has been a little over five years since Ashutosh Sharma was appointed as the Secretary of the Union Ministry's Department of Science and Technology (DST). One cannot recall him having held a single meaningful press briefing or interaction with the media discussing the department's highlights or scientific achievements, save perhaps a couple of occasions when he appeared along with Harsh Vardhan, Union Minister of Science and Technology and Health and Family Welfare, when the latter addressed the media. But, today, every one of the PIB releases on some COVID-19-related claimed achievement of institutions under his department carries a quote from him on the achievement. But, privately, it is learnt that researchers in some institutions engaged in designing indigenous ventilators are feeling

frustrated and would like to stop developing them because of the scam around its procurement.

But what has been the outcome of these claims and their use/impact in the nation's fight against the disease? Has any one of them made it to the field-level application or the production stage? No one knows, barring perhaps a few at best, because there has been no follow-up information about their further progression either from the developers or from the Ministry.

For example, even the "indigenous" rapid RNA extraction testing kit launched on May 21 by the Thiruvananthapuram-based Sree Chitra Tirunal Institute of Medical Sciences and Technology, an institution under the DST, sounds suspiciously similar to the work reported in a publication titled "A simple magnetic nanoparticles-based viral RNA extraction method for efficient detection of SARS-CoV-2" from the Chinese Academy of Sciences by Chinese scientists led by Zhen Zhao (and posted on medRxiv.org on February 20). Was the near concurrent invention just a coincidence? We do not know.

While the intention here is not to judge these models or other developments by Indian scientists and question whether they are entirely indigenous or not, it is evident that the government has not made use of science inputs to impose widespread restrictions on all forms of activity, including transportation, and declare lockdowns.

On the contrary, as members of the Task Force have observed in anonymity, the lockdowns have been completely arbitrary, which have only resulted in widespread misery to the marginalised in terms of loss of livelihood, extensive hunger and death. Lockdowns, as a media report quoted a member of the Task Force as saying, have been looked at by the authorities as a law and order instrument rather than a facilitator for implementing proper health measures.

CASE FATALITY RATE, A CRUDE METRIC

The government earlier had been peddling the metric of doubling time as an indicator of the success of its lockdown strategy and the accompanying measures, now it



HEALTH MINISTRY Joint Secretary Lav Agarwal addressing a press conference on "COVID-19: Preparedness and Actions taken" in New Delhi on March 23.

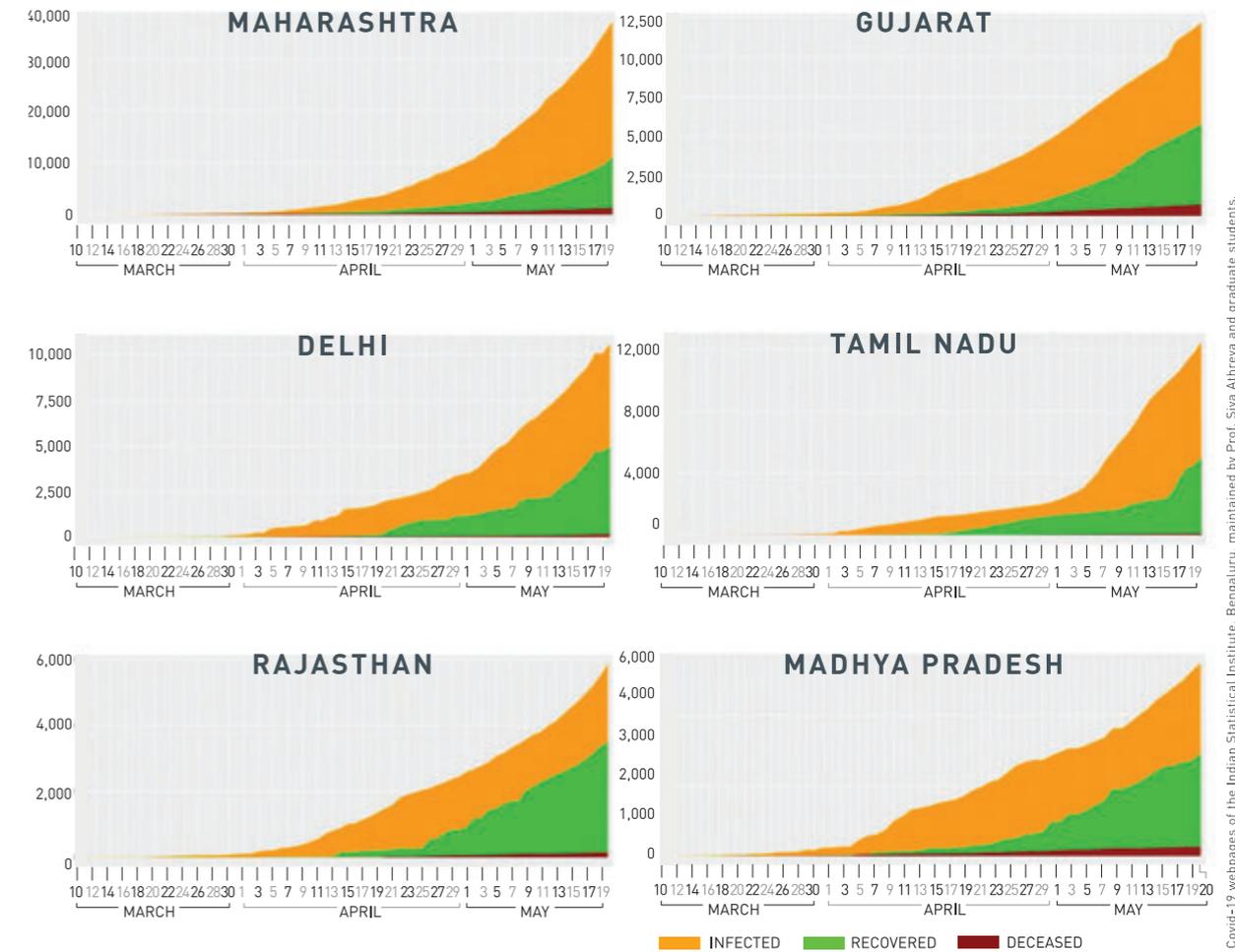


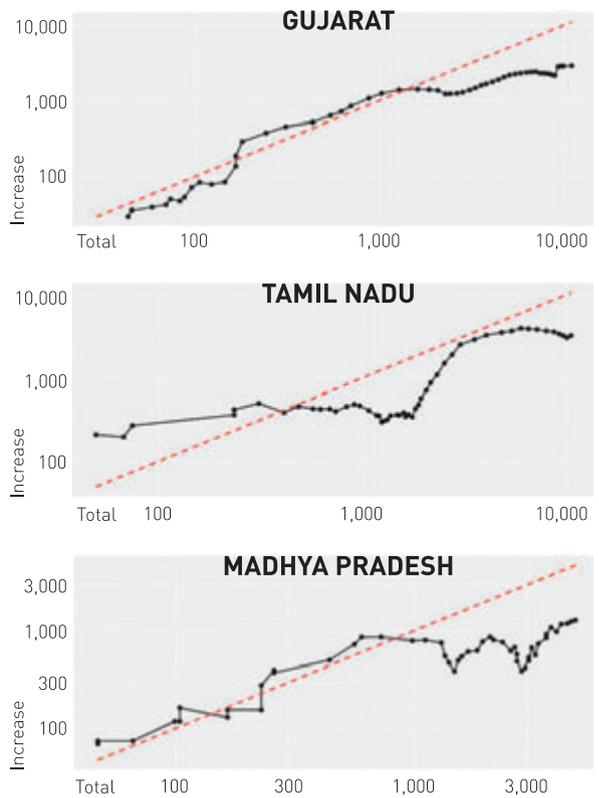
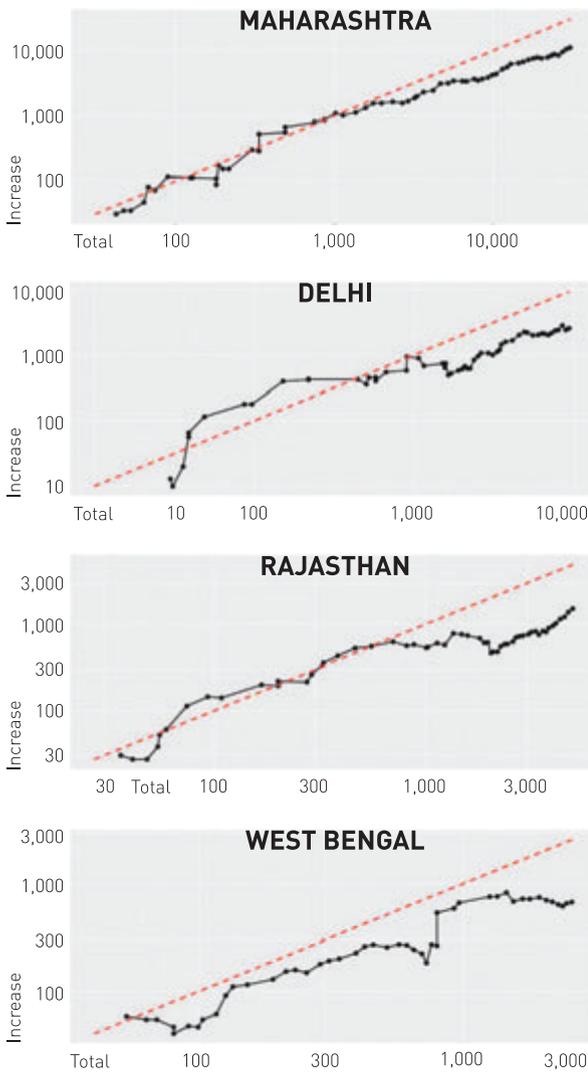
FIGURE 3: Growth in the number of confirmed cases, recoveries and deceased in seven key problem States.

has started talking of lower case fatality rate (CFR)—the crude ratio of the number of deaths to the total number of confirmed cases—than the world average. Compared with the world average of about 6 per cent (Fig. 2), India's (crude) CFR today stands at 3.1 per cent.

Three things should be borne in mind when we look at this data and the figure. One, epidemiologically, this metric is known to be a poor indicator of the severity of the infection because there are several factors that confound the actual cause of death, like co-morbidities. Also, it is the infection fatality rate (IFR) that will give a true picture of the nature of infection. Two, the world average is skewed towards a higher value because in Italy, France and Belgium the prevailing demography, with a larger fraction of higher age groups, has played an important

role in the number of deaths. Three, the CFR is low for India because its demography is in favour of the less vulnerable young population. But a more serious issue is that this metric is a crude one because deaths occurring on a given day are of infections that happened 16-18 days ago, the average time for death from the onset of symptoms. If we calculate the Indian CFR from that perspective, the more realistic CFR (though still crude) will be about 7.5 per cent. Even from this crude perspective, the CFR of India is higher than those of South Korea, New Zealand, Iceland and Vietnam (whose CFR is practically zero), where extensive testing followed by isolation, quarantine and efficient contact tracing were put into practice, and not extensive lockdowns.

To get back to the issue of problem States, these include Maharashtra, Gujarat, Delhi, Rajasthan, Madhya Pradesh, West Bengal and Tamil Nadu (Fig. 3 and Fig. 4). Figure 4 shows graphs of daily caseload increase (plotted as a six-day moving average) against the total number of cases on that day. The reference line showing exponential increase indicates how these States are yet to



Covid-19 webpages of the Indian Statistical Institute, Bengaluru, maintained by Prof. Siva Athreya and graduate students.

FIGURE 4: Tracking exponential growth in the number of confirmed cases in seven key problem States. Graph of increase in daily number of cases (plotted as six-day moving average) vs total number of cases.

move away from the exponential trend. If, as the government has maintained, the surge in these States is due to clusters in containment zones, it should share the epidemiological details of the nature of these clusters and the causes that have led to the emergence of these clusters so that appropriate State-level non-pharmaceutical intervention strategies can be evolved. It was pointed out in *Frontline* (May 22) that the Centre had blamed the States for not enforcing lockdowns and adhering to testing and quarantine protocols. If that indeed had been the case, there should have been some improvement on that front, and a consequent reduction in the growth of the individual State's caseload in the intervening fortnight. If appropriate steps had been taken in that direction, they are yet to reflect on the ground.

An earlier article (*Frontline*, May 8) had discussed the emerging evidence for community transmission in the country, which was found by an Indian Council for Medical Research (ICMR)-initiated sentinel surveillance study among SARI (serious acute respiratory infection) patients across 52 districts in 20 States. Health

Ministry officials continue to deny its occurrence, maintaining that only areas with clusters of positive cases showed increase in the number of cases. (This false denial, of course, gets reflected in the situation reports of the World Health Organisation as well.)

The study had identified COVID-19 positive cases in 36 districts in 15 States with no apparent link to any identifiable source of infection. Strangely, neither the authors of the study nor the ICMR has revealed the names of the 36 districts. It is reliably learnt that the authors were specifically instructed by the powers that be to not reveal the names of the districts. But it is beyond reasonable argument or one's understanding what is gained by hiding this information.

In fact, one would have expected the testing strategy to be suitably broadened to launch widespread testing, including random testing in these districts to capture even asymptomatic cases. Even the latest revised testing strategy (Version 5 of May 18) talks of testing only asymptomatic "direct and high-risk contacts" of confirmed cases. It would be of interest to know how many of these 36 districts indicating community transmission are in the seven problematic States. But selective dissemination of information has become the norm, which is not the best way to address an evolving nationwide epidemic. □

An empty package

The Modi regime, which has been unable to control the COVID-19 infection, restore economic activity and provide relief to millions exposed to starvation, **trains its sights on Indian democracy**, making use of the panic generated by fear and a lockdown that forecloses paths of resistance. BY V. SRIDHAR

THE NARENDRA MODI GOVERNMENT HAS managed to turn a health emergency into independent India's biggest humanitarian disaster. What started as a threat from COVID-19 has become a multidimensional crisis. Economic activity has collapsed, resulting in waves of job and income losses. The ongoing phase of the lockdown—chaotic in every possible way because of the bureaucratic definition of zones, restrictions, regular revisions of guidelines arising from the Home Ministry's tight grip on when and how even a screw will turn in the country—is unlikely to end well. Ironically, the lockdown is likely to be lifted at a time when the caseload is rising, and the economy's prospects look dim.

The Modi regime's penchant for the theatrical flourish was on display when the Prime Minister announced that a Rs.20 lakh crore "economic package" was on its way. Like many of his speeches, this one too had a buzzword: he said his vision was to make India Aatmanirbhar—translated officially into English rather inaccurately as "self-reliant" but more accurately and ominously as taking charge of one's own destiny. True to form, Finance Minister Nirmala Sitharaman, whose gruelling marathon Budget speech of February is still fresh in memory, started unveiling the package on May 13 and continued to do so in a series of press conferences over five days. What the Minister delivered turned out to be not just a damp squib but a gigantic exercise in subterfuge. She managed to conjure up a package that beat even what the Prime Minister had promised—a total package amounting to Rs.20.97 lakh crore. But the large package turned out to be empty.

The elaborate ruse had several key elements. First, the trickery consisted of adding up all that the Reserve Bank of India (RBI) had already announced as liquidity-enhancing measures, which, incidentally, had failed miserably. Second, the Finance Minister included elements of expenditure that had already been announced, much before the emergence of the COVID threat. Third, she added expenditures that were to be spread over



KAVAL KISHORE/PTI

FINANCE MINISTER Nirmala Sitharaman at the first of a series of press conferences, on May 13,

several years by making them appear as if they were to be spent on a here-and-now basis. Fourth, she made several policy announcements aimed at attracting private investment as if they would spur economic activity during the ongoing crisis. Fifth, she made new forays into territory uncharted in the history of Indian federalism by tightening the fiscal noose at a time of severe and unprecedented stress. Sixth, by leaving some things unsaid and by leaving some of the fine print to the Union Cabinet to spell out a full week later, she effectively misled the large home-bound audience glued to the TV into thinking that the package was bigger and more consequential than what was actually on offer.

The common consensus among not just professional economists but among investment banks and brokerages

is that the effective impact of the “expenditures” amount to not more than 1 per cent of India’s GDP, a far cry from Modi’s promise of 10 per cent. Economists across the world, of widely differing persuasions, mostly agree that a fiscal expansion, led by state-driven expenditure, is singularly important in the context of the pandemic-driven simultaneous collapse of both supply and demand. However, the response in many countries, in the United Kingdom, the United States and in the Eurozone area for instance, has been to adopt the liquidity infusion route to recovery, while giving significant scope for fiscal policy support. While these countries have recognised that a sudden collapse of markets has imposed a short-term crisis of liquidity across firms and households, that is not by itself enough to spark a recovery from the recession. Thus, the choice between a liquidity-driven solution and the fiscal route is not only artificial but irresponsible at a time of a grave crisis. The point is that in both routes, because the markets have collapsed, the state has to take the lead and intervene effectively by putting its money where its mouth is.

On May 22, RBI Governor Shaktikanta Das made the first official announcement of an expected decline in the national gross domestic product (GDP) during the current year, although he refrained from mentioning any magnitudes. He also announced a further reduction in the repo rate—the floor rate in the lending rate in the economy—to 4 per cent, a move that is unlikely to motivate investment. Moratoriums on loans have been extended for a further three months, although that may receive the same tepid response from borrowers that the earlier one elicited. This is because the moratorium only postpones rather than resolves their repayment problems, imposing a higher burden at a later point in time.

Nirmala Sitharaman’s failure to establish the task force that Modi promised in his first speech in March means that she could proceed on whatever path she chose in the absence of an assessment. It is now amply clear that supply chains and productive capacity have been severely broken. The arbitrary and illogical division of colour-coded zones, without attention to the nuances of either geography or demography or the niceties of political conduct in a federal system, has only aggravated matters. The move clearly bears the imprint of Home Minister Amit Shah.

Soon after Nirmala Sitharaman’s announcements, the managing director of a small company in Bengaluru specialising in the manufacture of machine tools told *Frontline* that the three main “axes” of demand for his company’s products—Chennai and manufacturing units around the city, Pune-Kolhapur and the Gurgaon-Manesar belt—account for 75 per cent of the demand for his products and services. “The three axes are operating only at about 7-10 per cent of their capacity,” he said. His company, he said, could scale up operations from the current level of about 25 per cent. “But what is the point in my operating at full tilt when my clients are shut?” He also pointed out that the relatively larger units within what counts as “small scale” in India— units employing



CONNAUGHT PLACE, New Delhi’s central business district, which usually bustles with activity, wears a deserted look. Photograph of May 14.

between 50 and 100 workers—“are now in mortal fear”.

The proprietor of a small industrial establishment in Peenya industrial estate in Bengaluru employing about 30 workers told *Frontline* that MSMEs (micro, small and medium enterprises) are so precariously placed that they have to borrow even to pay their goods and services tax (GST). Invoices for supplies made to larger companies are not paid within a reasonable time, while the MSME is responsible for paying the tax that it is supposed to have collected from its clients. The bigger companies delay not only payment for supplies received but also payment of tax, so the MSME suffers a double blow. Narrating his own experience, the proprietor said: “I have borrowed Rs.25 lakh from a public sector bank to pay GST. The bank knows this is strictly not allowed, but it also realises my predicament.”

The crisis in the MSME sector, a vital cog in India’s industrial capacity, means that the production chain is broken for two fundamental reasons. First, MSMEs are simply collapsing because they are not able to deal with cash flow problems, particularly those arising from working capital constraints. Second, lockdown-induced conditions have greatly amplified this crisis by threatening to turn them insolvent. Not only are markets shut, but the chaotic conditions relating to the relaxation of the lockdown mean that companies are operating under conditions of near zero visibility in which it is difficult for them to assess potential demand for their products. Their ability to predict market conditions is impaired by the fact that links in the production chain are broken and it is virtually impossible to assess demand. It is not for nothing that Rajiv Bajaj, CEO and MD of Bajaj Auto, asks how he can possibly start production before dealerships are open. If that is the fate of a company at the top of the tiers in the production chain, it is not difficult to imagine the

situation of much smaller firms down the line.

The large companies’ failure to pay bills in time has been a perennial problem for small units in India. Despite legislation that sets a limit of 45 days, small units are wary of invoking legal clauses to claim what is justifiably theirs. “A small-scale unit that is operating in an industrial cluster does not have many customers, which affects its ability to stand up to the larger company when it is not paid its dues,” says the industrialist cited earlier. “The proprietor has to choose between exiting the business altogether or just somehow battling on,” he said.

Nirmala Sitharaman made much of the announcement that all public sector units (PSUs) and Central government departments had been asked to clear their dues to companies. However, small industry associations have pointed out that private companies, especially large ones, account for multiples of what PSUs and government departments owe to the small companies. Obviously, the Finance Minister does not enjoy enough leverage with large private companies to ensure timely payment.

DEVIL IN THE DETAIL

The centrepiece of Nirmala Sitharaman’s package was the promise of Rs.3 lakh crore as loans to MSMEs by banks, which would be backed by a government guarantee. Companies with outstanding loans of up to Rs.25 crore and with an annual turnover of Rs100 crore would be eligible. The gleeful reception that this might have got was however dampened by the fine print that followed. First, the loan limit was also “clarified” (after the Cabinet meeting of May 20, which approved the package) to mean dues pending for up to 60 days prior to February 29, 2020.

That date is significant because it shockingly and explicitly rules out relief for companies that have been hit by the COVID-19-induced lockdown. There is zero relief to companies that have suffered in the more than two months of lockdown. Thus, companies that may have had

to continue paying wages, maintain inventories, suffer delayed payments and incur overheads during the lockdown are left high and dry. Moreover, the loans will not be directly guaranteed by the government but by a scheme run by the National Credit Guarantee Trustee Company Limited (NCGTC).

After the Cabinet approval came, it became clear that the entire amount of Rs.3 lakh crore was not meant for MSMEs alone and would also include non-banking finance companies (NBFCs). While qualifying MSMEs can access these loans at the rate of 9.25 per cent, banks would charge interest at the rate of 14 per cent to NBFCs. Only time will tell if this differential will make it more attractive for banks to lend to NBFCs rather than MSMEs. The principal amount will enjoy a moratorium of one year while the loans will have a four-year tenure. But there are several reasons why the plan may not take off, at least in the desired direction. Banks, as is well known, have been averse to lending anything to anyone but their prime borrowers. This is despite the fact that the levels of non-performing assets (NPAs) of MSME borrowers are far smaller than those of large corporate borrowers.

Bankers have said that a letter of “comfort” from the government may have helped. One bank manager told *Frontline* that a loan guarantee does not mean banks do not have to undertake due diligence or explain to the guarantor if and when the borrower defaults. The Finance Ministry’s commitment to the scheme is only Rs.41,600 crore, that too spread over four years. However, banks would need to make provisions in their balance sheets taking into account the risk weight of 20 per cent; significantly, these provisions directly draw down profits in their balance sheets.

The conditions attached to the Cabinet’s final approval for another scheme—of loans worth Rs.30,000 crore for NBFCs and housing finance companies announced by the Finance Minister—has rendered it a dud. The complicated process involves the setting up of a special purpose vehicle (SPV) by a public sector bank, which would issue securities that would be purchased by the RBI and guaranteed by the government. The funds that accrue to the SPV through the sale of securities would be used to purchase stressed assets of NBFCs and housing finance companies. The catch is that these would apply to only securities of short tenor—up to three months. This scheme is also unlikely to take off because it would result in a mismatch in the borrowing and lending loan maturities of the NBFCs and housing finance companies.

Some of the most outrageous portions of what was expected to be a “relief” package were the abuse of the platform to make deep forays into territory that has since Independence been within the purview of the States. The dismantling of the Agricultural Produce Marketing Committee (APMC) Act in States is an obvious instance of overreach by the Modi regime into an area— agriculture—that is listed as a State Subject in the Constitution. At the press conference, bureaucrats brazenly said the

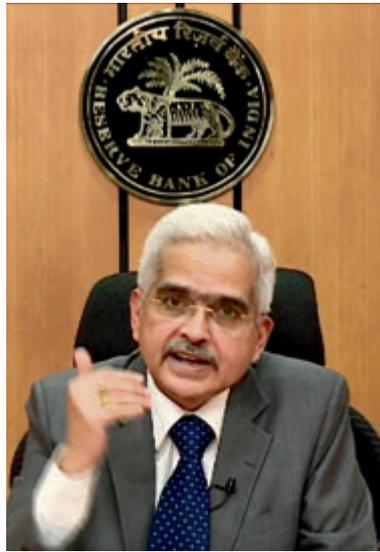
law could be amended to bring the subject in the Concurrent List. Once there, the top bureaucrat triumphantly argued, Central legislation would prevail over State ones. The intent is thus clear: usurp more and more powers from States. This is especially serious because State finances are in dire straits now and the ability of States to stand up to the onslaught is that much more limited.

But the biggest bombshell for States came on the last day when Nirmala Sitharaman announced that they could borrow from the market two percentage points more of their Gross State Domestic Product (GSDP) than the prevailing limit set at three percentage points. The catch was that they could borrow more if they adhered to certain conditions and proceeded to list them out. The imposition of conditionalities made one wonder whether the International Monetary Fund was now based in India! The conditions themselves appear arbitrary and seem to be dictated by the Modi regime's use of its clout to amend policy at the State level and dub the exercise as "reforms". One condition demands that States implement the One Nation, One Ration Card scheme; another demands compliance with Modi's personal favourite, improving ease of doing business at the State level; and yet others demand detailed compliance with conditions set for electricity sector "reforms".

ASSAULT ON STATES

States are also required to make periodic increases in property taxes, user charges and other levies so that they reflect current inflation. This comes at a time when States have seen their revenues shrink dramatically. Reacting to the conditions, Kerala Finance Minister Thomas Isaac said although meeting the conditions would not be a problem for Kerala, the move "marks a major inroad into States' autonomy". Chhattisgarh Finance Minister T.S. Singh Deo said: "This is an attack on the federal structure and is in poor taste. This is an imposition of policy on States. Then why have State governments at all?" M. Govinda Rao, member of the 14th Finance Commission, said the move amounted to the "unprecedented use of the powers of the Centre". He pointed out that although the law did provide such powers to the Centre, the fact that the powers were never used before was extraordinary. "That this pressure is being applied to market borrowings—not grants—is preposterous," he remarked in an TV interview.

K. Ramakrishna Rao, Principal Secretary, Finance, Andhra Pradesh, said the letter setting out the conditions was a "bureaucrat's delight". "There are conditions after conditions after conditions, and there are even condi-



RBI GOVERNOR Shaktikanta Das addressing a press conference in New Delhi on May 22.

tions within conditions," he said in a TV panel discussion.

In effect, over five days Nirmala Sitharaman delivered the painful message that the Modi government was not in any mood to accommodate a policy stance that would provide immediate relief to those most affected by the crisis. Two aspects of what she said, or did not say, stood out because of the clear message they conveyed. First, the lockdown fiasco has exacted a gigantic human toll, most visibly in what it has meant for India's migrant workforce. Second, the issue of large numbers of migrants going back to their villages in some of the poorest States calls for immediate succour through a massive scaling up of the Mahatma Gandhi National Rural Employment Guarantee Act. On both these counts she obfuscated,

misled and even made outrageously false claims.

She claimed that the government was providing Rs.3,500 crore for the supply of foodgrain to eight crore migrant workers for two months. There are several problems with this claim. How does she plan to actually deliver the foodgrains to migrant workers without knowing where they are? She claimed that they are in camps, but we know from the government's own affidavit in the Supreme Court that more than two-thirds of the workers in camps in India are in Kerala. Clearly, a tiny fraction of migrants, especially inter-State migrants, are living in camps. Certainly, eight crore migrants are not housed in the camps. In fact, media reports indicate that they are on the roads or in the open within cities after being driven away by their employers— after non-payment for work already done. This is compounded by the fact that in most States the Labour departments have no idea about the numbers of migrant workers within workplaces. The permissive regime, bullied in place by industry lobbies and their allies against a mythical "Inspector Raj", has emasculated these departments.

In effect, we have very little information about who these Indian citizens are, where they are, where they come from and how many they are. The only official information we have is from a decade ago—the 2011 Census, but even this is sketchy. Research and surveys by academics, non-governmental organisations (NGOs) and researchers complete the patchy portrait of the Indian migrant. It is this information vacuum that Nirmala Sitharaman seized to make the grand claim that the government had moved by trains more than 10 lakh migrant workers to their homes. Later, Railway Minister Piyush Goyal, who made the preposterous claim that not a single Indian has died of starvation in the last three months, upped this to 15 lakh workers in 1,150 "Shramik Special" trains. What both Ministers did not do was to set

these numbers in a context so that it would indicate the extent of their success.

The Indian migrant worker is of many types—those who are short-term migrants; those whose migration follows a “circular” pattern, implying that they may move back and forth during the year depending on seasonal employment; and those who migrate for work on longer-term employment (of course with no assurance of tenure).

Migrants are also classified in terms of whether they cross State borders in search of work. While it is obvious that the lockdown has impacted inter-State migrants more severely, it is not true that within-State migrants have fared better. For instance, during the lockdown, the Karnataka government decided to allow buses but charged scandalously high fares. For instance, the fare from locations in northern Karnataka to Bengaluru for a family of four amounted to more than Rs.1 lakh. Although Bengaluru has a high population of inter-State migrants, the migration from within the State is not insignificant. In many occupations, there are many workers from within the State—the Uber and Ola drivers, for instance, and those engaged in construction work.

HAPLESS MIGRANT WORKERS

The face of India’s COVID crisis has been the hapless migrant worker. Not only were migrant workers abandoned for more than two months by their employers, the Union government and most State governments more often than not entered into a tacit deal with the very same employers in a desperate bid to make them stay in order to extract work from them. They have travelled hundreds and thousands of kilometres on foot, on cycles, some even on prosthetic limbs, or on barrows carrying their elderly parents or young or disabled children. Indeed, in their desperate bid to reach home they have tried every means of transport—land, water and even the sea.

So, what does the smug satisfaction that Piyush Goyal and Nirmala Sitharaman draw from their achievement convey? Even if one sets aside intra-State migration in India, the number of inter-State migrants is a whopping 565 lakh (going by figures from a decade ago). Even if only one in four such migrants needs or wants to go home, Goyal would need to move 141 lakh migrants back home. That means that he has completed just a little over one-tenth of what was asked of him by India’s most desperately poor workers. Goyal angrily said States could ask for more trains to transport migrants wishing to return home. After two months in which he did nothing for these hapless people, surely that is churlish.

In fact, inter-State migration reflects a map of poverty in India. Outward migration from four States—Uttar Pradesh, Bihar, Madhya Pradesh and Rajasthan—accounts for half of India’s inter-State migration. On the other side of the equation, Maharashtra, Delhi, Gujarat, Haryana and Uttar Pradesh account for half the inward migration. Placed in this context, Goyal’s sudden rush of enthusiasm is preposterous. The States that migrants are rushing back to are among India’s poorest; their ability to

suddenly accommodate the returning workers is impaired by their limited capacity. Goyal ought to ask himself: What was so different 50-60 days ago that he could not run the trains then that he is now willing to ply?

Several State governments have asked migrant workers who wish to travel to register. Although these are known to be restrictive in practice, even a compilation of a partial list of States reveals that at least 55 lakh workers registered by mid May. Rajendran Narayanan, who teaches at Azim Premji University and is associated with the Stranded Workers Action Network (SWAN), which has issued several reports on the plight of the migrant workers during the COVID crisis, pointed out that the registration process was so deeply flawed that it had resulted in a thriving black market for tickets issued for such workers. Poor migrants are paying as much as Rs.8,000 per ticket to travel by bus or train, SWAN stated recently.

In hindsight, the government’s apparently lethargic response to the need for transport for these workers appears to be deliberate. The government and the industry and trade lobbies realise that once the COVID crisis blows away, productivity capacity requires workers to be in their workplace. On May 21, the Confederation of All India Traders, a lobby that has unabashedly backed Modi for six years, demanded that migrant workers be brought back immediately so that businesses could resume. It highlighted its own plight, blamed State governments for having sent back these workers and demanded that the Centre ask the States to get these workers back. Not a word in the statement referred to what triggered the biggest wave of mass migration in Independent India. The Modi regime seems to have intended to keep them locked in in alien cities without any support until the crisis assumed such proportions that the government had to at least appear to be doing something.

Protests in cities and towns across the country and even the sporadic media coverage obviously played a role in forcing the government to act even if only half-heartedly. It has become obvious that the lockdown has more to do with the imposition of the regime’s authoritarian will than with any planned strategy to fight the pandemic. The sudden, obviously coordinated, dismantling of labour legislation in several States, the relentless pressure on India’s federal structure, the far-reaching changes planned in agricultural marketing structures that are likely to drive farmers further to penury, all seem to indicate that the Bharatiya Janata Party (BJP) and the Sangh Parivar intend to seize the lockdown opportunity to strike when resistance is at its weakest.

With the threat of a virus in the air, the contagion fanned in no small measure by sheer incompetence and worse, citizens are in panic. That is hardly a frame of mind that encourages protests. Matters have been aggravated by the lockdown because it sets physical limits to how citizens not only interact with each other but react collectively against such draconian measures. All in all, India enters a dark tunnel, one that would perhaps make the Emergency of the 1970s look like a dinner party. □

Rumblings of discontent

With no end in sight to migrants walking home by the thousands and little in the economic relief package announced by the Prime Minister, **resentment is building up** within the BJP and outside it.

BY VENKITESH RAMAKRISHNAN

“THE GOVERNMENT AND THE POLITICAL leadership are undoubtedly facing very many unprecedented challenges at the level of governance, logistics and financial management. In spite of all that one thing is clear. In terms of popular perception, our leadership remains supreme. No individual or organisation has been able to counter it even remotely or exploit the lockdown hardships faced by the people for political gains. Prime Minister Narendra Modi is miles ahead on popular appeal, once again underscoring the TINA factor.” This was how a senior Rashtriya Swayamsevak Sangh (RSS) activist based in Lucknow analysed the political play in the country on May 11, seven days ahead of the conclusion of Lockdown 3.0.

The RSS leader said this when *Frontline* brought to his notice some incisive questions that a number of political scientists and observers had raised on the deficiencies in Modi’s governance during COVID times. He not only roundly rejected these criticisms but also went on to add that the widespread perception in many parts of India was that the Tablighi activists played a big role in spreading the virus and this communal impression was giving a fillip to the Bharatiya Janata Party (BJP) and its associate organisations (“Clueless captain”, *Frontline*, May 22, 2020). Obviously, this was not the opinion of a single leader based in north India and it had wide currency across the Sangh Parivar network. Scores of Hindutva activists affiliated to Sangh Parivar outfits in States in northern and eastern India shared similar opinions with *Frontline*. Cumulatively, these expressions could be termed as a pervasive state of smug political confidence.

However, in barely a week, new signals emanating from these Sangh Parivar segments and different echelons of the Union government indicated an erosion of that confidence owing to a number of developments on the

ground and people’s reaction to them. Central to these developments was the torturous journeys of lakhs of migrant labourers from different parts of the country to their native places. A majority of these migrants were trudging great lengths barefoot without food and water or other facilities in the blistering heat. Both mainstream media and social media had been highlighting the heart-rending plight of these marginalised sections from the first week of Lockdown 1.0.

According to sections of the BJP and the RSS, these early reports did not evoke significant public response because of the widespread impression that this reverse migration would be over in a few days. “However,” pointed out a former BJP Minister from Jharkhand, “even after 50 days of continuous lockdown there were no signs of abatement of the ‘miserable mass journeys’, and this seemed to steadily change the dynamics in terms of the reactions of the fleeing labourers and their families and the perception of the public which was observing this exodus. The reactions from both sections got increasingly rancorous and even abusive against the leadership of the BJP and its partners in different States. Media interactions with migrant labourers in Bihar and Uttar Pradesh resulted in openly abusive comments against leaders such as Narendra Modi, Bihar Chief Minister Nitish Kumar and Uttar Pradesh Chief Minister Yogi Adityanath.”

The former Jharkhand Minister was also of the opinion that this change in mood became pronounced towards the end of Lockdown 3.0. “I would say that it is all these accidents involving migrant labourers and their horrendous deaths in different parts of the country that has primarily led to a shift in the public perception *vis-a-vis* the political leadership. You had the Aurangabad train accident on May 8, followed by a series of road accidents happening almost on a daily basis. The



A VIDEO GRAB of Prime Minister Narendra Modi addressing the nation on May 12.

public response was no longer in a condoning mode and there were more and more calls seeking greater responsibility and involvement from the political leadership.”

Several workers of the BJP and constituents of the BJP-led National Democratic Alliance (NDA) in different parts of north India, from Meerut and Ghaziabad in western Uttar Pradesh, closer to the national capital Delhi, and from districts like Chapra and Kishanganj in Bihar agreed with the former Jharkhand Minister’s take on the shift in mood. Janata Dal (United) leaders in Patna and Kishanganj were of the view that the Union government would have to take urgent measures to tackle the migrant labour situation in order to rebuild people’s confidence.

Almost all NDA leaders and activists that *Frontline* spoke to were of the view that the Prime Minister’s exhortation for an “Atmanirbhar Bharat” fell way short of the expectations that the people had from an economic relief package at a juncture like this. The refrain from these leaders and activists hailing from Uttar Pradesh and Bihar was that the details of the package as delineated by Finance Minister Nirmala Sitharaman in her press conferences held on five consecutive days in the third week of May were too scattered. The press conferences had the professed aim of explaining the “new financial package” of Rs.20 lakh crore announced by the Prime Minister along with specific measures for micro, small & medium enterprises (MSMEs), agriculture, migrant workers, defence, businesses and other segments.

The announcements day after day were about big-ticket reforms in sectors ranging from small- and medium-scale industries to coal production to aeronautics, but even economists and financial experts otherwise favourable to the Modi government called them out and observed that they did not contain specific relief measures to address the deep economic distress caused by COVID-19 (story on page 8). In many ways, the press conferences symbolised the deep sense of confusion and lack of direction prevailing within the Central government in relation to combating the effects of the pandemic, especially its economy-related implications.

The Finance Minister chose to ignore many pointed questions on the Ministry’s “package proposals” raised by experts in diverse fields such as agriculture, small and medium scale industries, and coal mining. Her response to a question on the plight of migrant workers particularly was marked by flustered and melodramatic bluster, which made it evident that the mass reverse migration of workers and their families and the public reaction to it had touched a raw nerve in the central leadership of the BJP too.

ANGRY RESPONSE

The query from a journalist on former Congress president Rahul Gandhi’s interaction with a group of migrants in Delhi’s Sukhdev Vihar so irked the Minister that she called it “dramebaazi” (charade). She went on to add that Rahul Gandhi had wasted the labourers’ time by stopping them for the interaction. “If he was so keen on helping them, he could have carried their suitcases and bundles and walked along with them and talked,” she said.

An array of leaders, including Punjab Chief Minister Amarinder Singh and former Finance Minister P. Chidambaram, condemned these comments as “insensitive”. The official reaction from the Congress leadership, however, was to dismiss the Finance Minister’s comments as “frivolous”.

A senior JD(U) leader was of the view that the Finance Minister’s “rant” should be seen in conjunction with some other important developments in the Union government. “There is no doubt that there is an element of desperation in this rant. To understand its full import, you need to also look at the somersault the Ministry has been forced to do on the rural employment guarantee scheme, MGNREGA [Mahatma Gandhi National Rural Employment Guarantee Act]. Nirmala Sitharaman has allocated an additional Rs.40,000 crore for the scheme now. This is over and above the Budget estimate of Rs.61,000 crore. She had also said this would generate 300 crore more person-days of work and address the need for work for the returning migrants. This scheme, originally implemented by the Congress-led United Progressive Alliance [UPA] government in 2004, was systematically lampooned by the BJP at that time. Even Narendra Modi is on record saying that every single rupee spent on the scheme was a colossal waste of public money. But now, in these trying times, the BJP has come to the realisation that only cash transfer schemes such as these would put money into circulation in the rural sector. The very manner in which the BJP leadership has had to succumb to this scheme is a sort of political surrender. No wonder it has rankled the Finance Minister,” the senior JD(U) leader told *Frontline*.

Rahul Gandhi rubbed in this point while welcoming the additional allocation. In a tweet, he thanked the Prime Minister for approving a 66 per cent hike in the allocated budget for the scheme. Gandhi concluded his tweet with a video clip, in which Modi can be heard saying, “MNREGA *aapki vifaltaon ka jeeta jagta*

smarak hai” (MGNREGA is a testimony to your failures).

Even as they welcomed this higher allocation to MGNREGA, the Congress and all other opposition parties strongly condemned the other economic measures that Nirmala Sitharaman delineated in her press conferences. One of the key decisions that was roundly criticised was the disinvestment of important public sector units, including notified strategic areas such as space research.

Communist Party of India (Marxist) general secretary Sitaram Yechury pointed out that this decision was just to “provide more avenues for the loot of the Prime Minister’s cronies, foreign and domestic corporates. What has whittling down the public sector got to do with the COVID crisis? This is pathetically misleading and a deliberate ploy to facilitate loot.”

Congress leader Jairam Ramesh, too, came out strongly against the move to disinvest public sector units. “The public sector built India. It made India strong and self-reliant. Now, in the name of Atmanirbhar Bharat, Modi-style, the public sector is being taken to the shamshaan ghat [cemetery]. Many of the announcements made by the Finance Minister in her press conferences require parliamentary approval and scrutiny. It is imperative that Parliament is convened at the earliest,” Jairam Ramesh said.

Leaders like Sitaram Yechury and Akhilesh Yadav, former Uttar Pradesh Chief Minister and president of the Samajwadi Party, told *Frontline* that a number of measures the Finance Minister had announced clearly pointed towards a subversion of the democratic processes in the country and a blatant promotion of crony capitalism. “What this means is that along with battling the COVID crisis the people of the country will have to carry out a spirited battle against this no-holds-barred advancement of devious economic vested interests,” Yechury told *Frontline*.

Akhilesh Yadav was of the view that these measures signified multiple threats to people’s health on the one side and their overall well-being and existence as human beings on the other. “In other words, the struggle would be for good physical health of the people and for a robust democracy.”

The Congress has taken the initiative to build a common platform of opposition parties to highlight these concerns and issues. A meeting to discuss this was convened on May 22 in Delhi. As many as 18 parties, including the Left parties, the Trinamool Congress, the Dravida Munnetra Kazhagam and the Nationalist Congress Party attended the meeting. However, the Samajwadi Party, the Bahujan Samaj Party and the Aam Aadmi Party did not attend it.

Yechury placed a charter of demands before the meeting, which was to be submitted to the Union government after wider consultations with all opposition parties. The demands included direct cash transfer of Rs.7,500 every month to all families outside the income tax bracket for the pandemic period; 10 kg foodgrains

free to all needy individuals every month for the next six months; free transportation for all migrant workers to their native places; immediate procurement of the rabi harvest and minor forest produce at minimum support price (MSP); and initiation of steps to provide seeds, fertilizers and other inputs to farmers preparing for the kharif crop.

The charter also demanded the reversal of all unilateral policy decisions, particularly the annulment of labour laws, and pointed out that substantial funds had to be released to State governments, which are in the front line of combating the pandemic. It also called for an immediate stop to communal profiling, targeting and arresting of peaceful protesters and people expressing dissent under draconian laws such as the Sedition Act, the Unlawful Activities (Prevention) Act (UAPA) and the National Security Act (NSA). It also asked for the release of all political prisoners, particularly those arrested in Jammu and Kashmir and jailed inside and outside the State.

INSIDERS’ APPREHENSION

Even as opposition leaders point to the manifold pitfalls to democracy ingrained in Modi’s Atmanirbhar Bharat, Sangh Parivar and NDA insiders continue to share their apprehensions on the short-, medium- and long-term political impact of the reverse migration. “There is little doubt that Modi still has the TINA advantage, but can we take it for granted that it will last in the face of this unprecedented crisis? There are doubts,” the same senior RSS activist from Lucknow, who was the epitome of confidence not so long ago, admitted to *Frontline*.

According to the political and economic affairs analyst Seshadri Kumar, the reverse migration and its after-effects pose the biggest political challenge to Modi to date. He pointed out that Modi overcame the debilitating effects of demonetisation and its political impact with his rhetoric and by making the poor think that he was causing more harm to the rich than to the poor. “But the reverse migration offers no scope for such rhetorical excuses. Not only has this situation been harrowing for Modi’s base, he is making it worse by repealing all labour laws all over the country. Add to this the widespread job losses among the middle classes—tens of millions are likely to lose their jobs because of COVID—and Modi is on extremely shaky ground. There are going to be a lot of people out of work because of COVID across the board. Those who get jobs are going to be squeezed by brutal work conditions—no overtime, 12-hour workdays, no holidays, no unions.”

“The fact that Modi decided to go all out with his privatisation drive at a time like this suggests that he has given up on getting the support of the working class in the next election. Throwing in his lot with the Ambanis and Adanis suggests that he is now pinning his hopes on buying the next election with help from India Inc. Of course, the next general election is four years away, but coronavirus’ effects are going to last years, if not decades,” he said. □

No love lost for labour

Taking advantage of the lockdown and the inability of workers to organise protests, many **State governments introduce sweeping changes** to labour laws to the detriment of workers on the pretext of reviving production and boosting the economy. BY T.K. RAJALAKSHMI



R.V. MOORTHY

MIGRANT LABOURERS in search of transport in New Delhi on May 14.

ANNOUNCING THE FIRST PHASE OF THE national lockdown on March 24, Prime Minister Narendra Modi appealed to employers to be compassionate towards their employees. On April 14 when the first phase of the lockdown came to an end, he once again appealed to employers not to dismiss their employees. By then there were reports of employers laying off their workers and of jobless migrant workers being anxious to return home. Perhaps anticipating that employers would resort to such tactics, the Labour Ministry sent a letter to employers on March 20, pointing to the catastrophic situation caused by the COVID-19 pandemic, which could lead to services of workers being dispensed with or workers being forced to go on leave without wages and salaries. Stating that coordinated efforts of all sections of society were needed to meet the public health challenge, it advised employers to extend their cooperation by not terminating their employees, especially casual contract workers, or reducing their wages. Strangely, the advisory

also said that if the place of employment became non-operational due to COVID-19, the employees would be deemed to be on duty. It stated that reduction of wages or termination of employees would not only weaken their financial condition but lower their morale to fight the epidemic. Neither the Prime Minister nor the Ministry spoke about “labour reforms”. That the appeals proved ineffective became evident when thousands of migrant workers deprived of their jobs decided to return to their home States, many of them traversing hundreds of kilometres on foot or by cycle.

Taking advantage of the lockdown and the inability of workers to organise protests, some State governments, mainly those headed by the Bharatiya Janata Party (BJP) and the Congress, announced sweeping changes in labour laws making it easy for employers to hire and fire workers and extend the working hours to 12 from the mandatory eight hours with a view to reviving industrial production. When the Centre announced easing of lock-

dwon restrictions outside containment zones from April 20, the BJP government in Madhya Pradesh interpreted it as relaxation in labour laws. On April 22, the Shivraj Singh Chouhan government invoking Section 5 of the Factories Act, 1948, issued a gazette notification that exempted all factories coming under the ambit of the Act from its provisions relating to weekly and daily working hours and interval for rest for adult workers for a period of three months. The relaxations were evidently not in labour's favour. As per the notification, workers could now be made to work for not more than 12 hours a day as compared to eight hours before and not more than 72 hours a week; they would not be allowed to work for more than six hours without taking 30 minutes of rest; there would be no factory inspections for three months; third party inspection was allowed; and there would be no inspection for firms employing less than 50 workers. Factory licences would be renewed once in 10 years and new licences and registrations (of factories) issued in a day.

Section 5 of the Factories Act, allows a State government to issue a gazette notification exempting any factory or factories from all or some provisions of the Act (except Section 67) for a maximum period of three months under a situation of "public emergency". Section 5 describes a "public emergency" as one where the security of India or any part of its territory is threatened by war, external aggression or internal disturbances. As the Centre had not declared the COVID outbreak a national or public emergency, the dilution of labour laws in the present circumstances was inexplicable.

On May 6, the Yogi Adityanath government in Uttar Pradesh issued an ordinance to revive industrial activity and investment for which, it argued, a reprieve from labour laws was necessary. The Uttar Pradesh (Temporary Exemption from Certain Labour laws) Ordinance, 2020, in one stroke has exempted all industries and manufacturing units from observing factory laws for a period of three years. The ordinance did not resort to Section 5 of the Factories Act.

The exemptions do not include application of the Building and Other Construction Workers Act, 1996; Bonded Labour (Prohibition) Act, 1976; Section 5 of Payment of Wages Act (the right to receive timely wages) and Workmen Compensation Act, 1923; and laws pertaining to the employment of women and children. Apart from encouraging investment, these laws were meant to encourage setting up of new industrial and manufacturing units and continued operation of the existing ones. As per the Factories Act, no adult, 18 years of age and above, could be made to work for more than nine hours a day and 48 hours a week.

The moves of the Madhya Pradesh and Uttar Pradesh governments had a domino effect. In the second week of May, the Gujarat government issued an ordinance providing for 12 hours of work a day and a maximum of 72 hours a week. The ordinance exempted new establishments from labour laws except the Minimum Wages Act, the Industrial Safety Rules and the Employees Compensation Act. Another BJP-ruled State, Himachal Pradesh,



MEMBERS of labour associations and trade unions staging a demonstration in Madurai on May 22 against the amendments to the labour laws.

increased the working hours from eight to 12 hours by amending the Factories Act.

It was apparent that these governments were able to roll out such changes as they did not anticipate any protest as much of the industrial workers had left the places in which they worked and lived, and lockdown restrictions prevented trade unions from mobilising workers for a campaign. The workers who had returned to the cities were fewer in number and were expected to have less bargaining power.

In some places, the authorities were not making it easy for those who wanted to return to work. On May 20, clashes were reported in the Dungaheera industrial area of Gurugram, Haryana, when migrant workers, who were living in and around the National Capital Region, returned to rejoin work. They were stopped from entering the industrial areas and were lathicharged by the police. "First, they don't let the workers leave, and when they want to work, they are not allowed to," said Satbir Singh, an office bearer of the Centre of Indian Trade Unions (CITU). There was unrest at the Maharaja Shree Ummaid Mills in Pali, Rajasthan, when workers demanded payment for work done during the lockdown period. The police resorted to lathi charge, and several workers, including their 68-year-old leader Ramnath Singh, were taken into custody. Ramnath Singh later died in a hospital. Union leaders alleged that it was a custodial death.

TRADE UNIONS RESENT REFORMS

Trade union representatives believe that the changes in labour laws and the hostility of employers will lead to labour unrest in the near future. Ten central trade unions—the Bharatiya Mazdoor Sangh (the trade union wing of the Rashtriya Swayamsewak Sangh), the CITU, the All India Trade Union Congress, the Indian National Trade Union Congress, the Hind Mazdoor Sabha, the All India United Trade Union Congress, the Self Employed Women's Association, the Labour Progressive Federation, the All India Co-ordination Committee of Trade Unions and the United Trade Union Congress— have

criticised the amendments to the labour laws. These unions have written to the International Labour Organisation about the dilution of the Factories Act and other laws without holding tripartite consultations. Drawing its attention to the enforced reverse migration of migrant workers due to the inability of the government to provide relief to them during the lockdown period, they said that the Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, which enjoined several responsibilities on State governments, including features such as registration of workers, establishments and contractors and principal employer's obligation to pay wages, was done away with by subsuming it under the provisions of the Occupation, Safety, Health and Working Conditions Code, 2019.

The Congress government in Rajasthan raised the working hours from eight to 12 and amended the Industrial Disputes Act to increase the threshold for laying off and retrenching workers, from 100 to 300. (The previous BJP government in the State had made far-reaching changes in labour laws causing a lot of resentment. *Frontline*, October 13, 2017) In Punjab, another Congress-ruled State, the working hours were increased by amending the Factories Act. Maharashtra, Goa and Odisha have also tweaked their labour laws to suit industrial needs.

CALLOUS CENTRE

Interestingly, Union Finance Minister Nirmala Sitharaman while presenting the government's relief package for the revival of the economy in mid-May did not mention labour. She made a passing reference to the four labour codes that had subsumed 44 labour laws and were pending in Parliament. Not once during the unveiling of the five series tranche did the Minister talk about giving unemployment allowance to those who lost their jobs or livelihood. While the package had several provisions relating to ease of doing business, the Minister did not reveal how many workers had been laid off during the lockdown.

On the one hand, the government let a huge number of factory workers leave their places of work and stay by not helping them financially, and on the other, it watched sweeping changes being made to labour laws through executive orders. The government has been pushing the

idea that the post-COVID employment situation will be different, with "working from home" becoming an acceptable norm, but it gave production floor workers no options. While white-collar workers have been laid off and asked to accept wage cuts in view of the economic crisis sparked by the pandemic, blue-collar workers have been losing jobs ever since the economic slowdown began in the last quarter of 2018 and spilled over to 2019.

Industry associations that participated in a webinar organised by Union Labour Minister Santosh Gangwar on May 8 suggested increasing the duration of working hours to 12 and suspension of labour laws, barring those relating to minimum wages, statutory dues and bonus, "for the next two-three years" to "help industry come out of the present crisis". They suggested that the lockdown period should be considered as layoff period and sought reduction in social security costs on employees and employers. The Centre's decision to reduce Employees' Provident Fund contributions from 12 to 10 per cent clearly indicates that the Labour Ministry paid more attention to meet the needs of industry than to protect the interests of workers.

AZIM PREMJI'S WARNING

While NITI Aayog experts and much of industry gushed over the amendments to labour laws, calling them "brave reforms" and the "boldest and bravest initiatives", two industrialists, known for their outspokenness, warned that the such changes would have far-reaching consequences. Azim Premji, founder of Wipro Limited, in an article published in a leading financial daily, wrote: "It was shocking to hear that various State governments encouraged by businesses are considering suspending or have already suspended many of the labour laws that protect workers." This would exacerbate the conditions of low wage workers and "the way we do business and industry", he said.

Figures provided by the Centre for Monitoring Indian Economy (CMIE) for the week ending May 3 showed that the unemployment rate at 27.1 per cent was the highest so far. This was accompanied by a surge in labour participation, that is, a surge of people seeking work. Small traders and wage labourers were the worst hit by the lockdown. Between March and April, 91 million people had lost their livelihoods. Large entrepreneurs, those with fixed assets, according to the CMIE, had reported job losses. This, the CMIE noted, was unusual as a businessperson normally would not declare job losses unless the trend was irreversible. Some 27 million people in the 20-30 age group and 14 million people in the 25-29 age group had lost their jobs. The loss of jobs, the CMIE observed, would have a bearing on savings, which in turn would have long-term implications.

While governments the world over are giving generous unemployment doles and even discussing the importance of public spending, the crisis created by the pandemic has presented the Indian government with an opportunity to push through policies it could not have thought of implementing in pre-COVID times. □

For want of a plan

India failed to ramp up public health infrastructure and spending during the lockdown period and it does not seem to have a strategy in place to deal with the continuing rise in the number of

COVID-19 cases. BY T.K. RAJALAKSHMI

THE BLANKET LOCKDOWN ANNOUNCED IN India without so much as a day's notice in order to handle the COVID-19 pandemic has had visible consequences. For one, the strategy to contain the overall morbidity and mortality ensuing from the infection and the collateral effects of the lockdown has been more of a knee-jerk response rather than a calibrated one.

The fourth phase of the lockdown, which began on May 18, has been more or less on these lines though with a major difference. The decision to allow States more autonomy did not appear to be guided by the incidence and spread of the infection. If anything, both in the days after the lockdown took effect and in May there has been an alarming jump in the number of confirmed cases even though the case fatality rate continues to be low compared with the Western democracies.

In many States, the spurt in cases had to do with the large numbers of migrant workers heading home in sheer desperation because of the mismanaged and short-sighted policies of the government. Unfortunately, some of them may have been inadvertent carriers of the virus. On May 21, the District Magistrate of Ghaziabad, Uttar Pradesh, tweeted that the district was in the "red zone" because of the high influx of migrant workers and that the decision to open shops had been deferred. The district borders Delhi on the east and is a major confluence point for migrant workers from Delhi and Haryana. Its industrial areas were home to a sizeable migrant population from Uttar Pradesh.

LAW AND ORDER APPROACH

From day one, the government's approach to the epidemic has been to deal with it more as a law and order problem rather than as a medical and humanitarian crisis. "The lockdown has to be strictly implemented and State governments have been instructed to follow the guidelines" was the refrain of the Union Home Ministry

HEALTH workers sanitising a designated red zone area in Vijayawada, Andhra Pradesh, on May 11.

spokesperson at COVID-19 media briefings. The spokesperson of the Ministry of Health and Family Welfare on his part would reiterate how "social distancing and the lockdown" had to be observed by all if COVID-19 was to be "defeated". The onus was, therefore, put squarely on the people.

When reports emerged of migrant workers getting killed by trains and being run over on highways, which was bad optics for a very image-conscious government, the Central government's response was to instruct States to ensure that no one was found walking on the roads. District Magistrates were to be held responsible if migrants were found on the roads. The approach to the pandemic was primarily along these lines in the first few

weeks of the lockdown. The shortfalls in the supply of masks and other personal protective equipment (PPE) were met with imports that generated controversies over the issues of bidding and overpricing. Even if these issues could be set aside as there was a global shortage of PPE and the government had taken steps for the domestic manufacture of the same, the dependence on the private sector network of medical colleges and hospitals was huge. In many States, there was a "takeover" of private health facilities to set up COVID-19 hospitals and level one and level two care centres, but there were as many instances of people being refused treatment for non-COVID-19 ailments at private hospitals and nursing homes, which had shut their outpatient and inpatient departments.

"People come to the hospitals with asthma and various breathing problems. But the OPDs [outpatient departments] are not functional. One doctor I contacted told me to pay the appointment fees online and that he would give me advice only then and that too on the telephone. I was told to explain my symptoms on the phone. How is it possible for a doctor to prescribe without seeing the patient? Not everyone is capable of explaining their ailment. What if the wrong medicine is prescribed?" a medical sales representative in Ghaziabad told *Frontline*.

Several State governments had to repeatedly issue orders and warnings to private sector health care facilities not to refuse treatment. Malini Aisola, co-convenor of the All India Drug Action Network (AIDAN), told *Frontline* that a high-level group (HLG) was set up under the Fifteenth Finance Commission in May 2018 to evaluate

the regulatory framework of the health sector. It comprised a sizeable section of private health care players. It was reconvened recently because of COVID-19.

According to a Press Information Bureau release, the HLG was asked to review its original recommendations in light of present developments. According to the commission, there was an immediate need to reassess the requirement of health manpower (medical and paramedical) and the estimated requirement of resources for 2021-22 to 2025-26 in relation to the shortfall in hospital infrastructure, medical equipment, PPE, and so on. The mechanism to fund these requirements will need to be critically examined, including the enhanced role of the private sector. The commission was of the opinion that the Rs.15,000 crore financial package announced for States would increase the investment at the grass roots and would lead to the setting up of infectious disease blocks in all district hospitals and public health laboratories at block levels. These, it noted, were "important first steps" in a series of measures that would be required.

Speaking on behalf of the AIDAN, Malini Aisola said that health was a State subject and the delivery of health care rested with State governments. "The States are free to make decisions about the terms of engagement of the private sector during the pandemic. They must utilise their constitutional power to frame policies and enforce legislation to curb unethical practices by the private sector. An oversight mechanism must be developed and enforced strictly. The reality is that the private sector is better equipped to deal with critical care. The immediate need therefore is for governments to devise mechanisms for utilising the private sector without pinning any financial burden on people," she said.

India is far ahead of both China and Africa in terms of the number of confirmed cases and the mortality rates. On May 20, the government claimed that the low death rate was due to timely case identification and clinical management of cases. It said that it was focussing on upgrading COVID-19-dedicated infrastructure. There has been little self-criticism about the state of the overall public health infrastructure in the country, the intransigence of the private health sector in either denying treatment or being reluctant participants in COVID-19 treatment and management or the government's own callous mismanagement of migrant worker populations and how that may have contributed to the spurt in new cases in May.

Fresh cases were reported in Maharashtra, Tamil Nadu, Delhi, Gujarat, Madhya Pradesh, Uttar Pradesh, Andhra Pradesh, Punjab, Bihar, Telangana, Karnataka and Kerala. But there is a wide variation in the numbers and in recovery rates. States such as Kerala have much better rates of recovery and an almost negligible number of new cases. Maharashtra continues to lead with the largest number of cases, including fresh cases, and deaths followed by Tamil Nadu, Gujarat and Delhi.

Even though Tamil Nadu accounts for 11.81 per cent of the national caseload, a little more than Gujarat's 10.92 per cent, and is in second place after Maharashtra



V. RAJU

in the list of confirmed cases, in terms of fatalities, only 95 people have died there compared with 773 in Gujarat.

Stung by the criticism that it had not utilised the lockdown period to ramp up health infrastructure, on May 21 the government (through Health Ministry media releases) declared that it had a high recovery rate of 40 per cent and had initiated a community based sero-survey to estimate prevalence of the disease. Twenty meetings of the National Task Force were held, it said. While 3,027 dedicated “COVID-19 hospitals” had been identified and 7,013 care centres set up (converted from existing public and private facilities), the fact is that no new hospital supported by the Central government has come up in the public sector. The only reason hospitals are not overcrowded is because of the enforced lockdown, the restrictions on movement and the lack of all means of transport. It is not because people are not falling sick.

There was nothing in the Union Finance Minister’s financial package announced in May, almost a full two months after the lockdown began, that could bring immediate relief to the lakhs of workers in the unorganised sector who had lost their livelihoods. Even the package on health was in the form of a slew of announcements that will come into effect later. Yet, the decision to go easy on the lockdown appeared to be motivated not so much by the COVID-19 caseload but by the pressure of industry to reopen economic activity.

LABOUR LAWS TWEAKED

The lockdown has been used as the perfect opportunity for employers to sack or lay off staff. Factories were eager to restart operations employing fewer people working in 12-hour shifts. To make this possible, several State governments tweaked their labour laws with the full backing of the Union government. The apprehension that the influx of city dwellers into the hitherto insulated rural hinterlands would lead to a fresh wave of cases there was not something the Central government seemed overly bothered about.

The spread of the epidemic to places that had not reported a single case or in areas where the epidemic had been successfully contained earlier is evidence that the lockdown has not worked. In fact, in the third week of May, the daily increase in the number of cases ranged from 3,500 to 5,000, and in the 24-hour period between May 18 and 19, it went up to 6,154 in one single day.

Amulya Nidhi, a public health activist in Madhya Pradesh, told *Frontline* that the lockdown was meant to buy time so that the government could ramp up health infrastructure to make it possible for the country to handle the pandemic. “However, there has been no reliable and in-depth assessment of the social, economic and health situation, and instead of strengthening the public health infrastructure, in many States the dependency on the private sector to handle the pandemic has been increasing. By this time, tests should have been made more accessible and easier for all segments of the population. But this is not the case in the majority of the States today,” he said.

Talking about Madhya Pradesh, he said that the State lagged far behind in testing capacities. It had just 20 testing laboratories, whereas States with a comparable population, such as Gujarat and Tamil Nadu, had increased the number of testing laboratories. Gujarat had a total of 37 laboratories and Tamil Nadu 67. Madhya Pradesh, he said, was nowhere close to achieving even a minimum number of testing laboratories necessary to gear up for the increase in cases when the lockdown was lifted.

“The lockdown is being touted as the golden solution. At the same time, the lockdown is being declared a success. However in the case of M.P., this is not at all the case. The State government’s strategy was to “Identify, Isolate, Test and Treat”, which it has failed miserably to implement. In the last two weeks, as lockdown 3.0 was coming to a close, the infection spread to 11 new districts. Today, 49 out of 52 districts have infections. On March 19, the government published data on 25 dedicated COVID-19 category 1 hospitals spread across just 13 districts.... When citizens paid the economic price for the lockdown, with lakhs losing livelihoods, why didn’t the government use this time to strengthen public health care infrastructure?” he said.

A senior official associated formerly with the health department in Haryana told *Frontline* that at the Panchkula Civil Hospital, a doctor had been hired to run the intensive care unit (ICU). No routine surgeries were taking place. Neither was the OPD open for people. “There has been no planning on how to run an ICU. If there had been too many cases, they would not have been able to manage. A typical ICU is not only about having ventilators. It is a complete system. We need trained staff as there are ventilator [-operating] protocols. There are ICU guidelines but [these are] not followed. I doubt if district hospitals in India have ICUs,” he said.

On May 15, the government issued an advisory for the management of health care workers in COVID-19 and non-COVID-19 areas of hospitals. It seems that a large number of health personnel and their contacts were found infected and had to be isolated because of which the health service delivery in hospitals had been adversely affected. It is clear that the situation can hardly be described as optimistic. Initially, the number of such personnel who were infected was made public, but later these figures were not released despite repeated queries by the media.

The World Health Organisation declared COVID-19 a pandemic on March 11. India took a full fortnight to react to it. Although it had begun screening passengers at airports early on in January, only those from China and Hong Kong were screened. Whether the lockdown was necessary at all is a debate that will continue to rage for years. Its disproportionate effect on the vulnerable sections—exemplified in the images of migrant workers being humiliated, being beaten by the police, being reduced to beggary and getting killed on roads and rail tracks—is not going to be forgotten easily. □

Capital's Malthusian moment

In a world that needs substantial reorienting of production and distribution, Indian capital is resorting to a militant form of moribund neoliberalism to overcome its current crisis. In this **pursuit of profit**, it is ready and willing to throw into mortal peril millions whom it adjudicates as not worth their means—an admixture of social Darwinism born of capital's avarice and brutality spawned by Hindutva. BY **DEEPAK K.**

THE ANXIETY OF THE INDIAN BOURGEOISIE and its articulation are writ large in the slew of actions and reforms that the Central and State governments have announced to overcome the economic crisis triggered by the COVID-19 pandemic. This is obvious from the crude coercive expression of intent by Karnataka which, at the behest of the builders' syndicate, cancelled special trains from Bengaluru meant to ferry stranded migrant workers to their homes, and from the Central government's "economic package". These point to a consciously conceived path to recovery from the current economic crisis by Indian capital in its characteristic moribund manner.

In a world that is starting to build anew, fully conscious that the new may not resemble the old, Indian capital has made a renewed and aggressive push for a decadent neoliberalism it hopes will help overcome the current crisis. This path to recovery will not only devastate the livelihoods of a large section of the Indian population but undermine capital itself. It is increasingly evident that the Indian bourgeoisie lacks an enlightened articulation of its self-interest. Overcoming this crisis will have to be a case of saving capitalism from itself.

CRISIS OF CAPITAL

Much of the world economy was already in chronic slow-down when the COVID-19 shock pushed it into an unprecedented crisis. Suspension of economic activity to limit the contagion by physical distancing, though imperative for mitigating pandemic-driven mortality, has led to a complete breakdown of the usual course of production and exchange. This has been detrimental to both capital and labour, though its repercussions are differentiated in form and severity contingent on their respective role in the reproduction of the social order.

The logic of capital entails operating at a scale and a turnover rate necessary to recover the sunk cost and book profits in a competitive market environment. However, it is also compelled to innovate and proliferate if it is to avert the market gallows. Capital then not only needs to service existing capacity, paying for raw material, rent and wages and realising present profit but also for investment in the future. The rate of profit in the usual course, whether on short-term working capital or long-term investment to augment production, can only be realised ex-post while production decisions and expenditure are made ex-ante. These decisions are informed by profit expectation on the basis of forecasting, within a tolerable (read affordable) range of errors of key variables such as "factor prices", production behaviour of other firms, and effective demand. This implies unavoidable uncertainty in the realisation of profit.

Ensuring sustained profitability and mitigating innate uncertainty are capital's persistent challenges and a source of its endemic crisis. There is a widespread heterogeneity of capital in India that tempers concrete manifestation of these general tendencies. Alongside big capital engaged in large-scale operations such as fast-moving consumer goods, car assembly, ore mining, petrochemicals, aviation, pharmaceuticals, small capital occupies large swathes and at times confronts big capital and at other times complements its functioning. Although small capital is most readily identified with retail mom-and-pop stores, it is omnipresent in the productive economy. For instance, micro, small and medium enterprises (MSMEs) form an integral part of manufacturing, servicing the backward-chained industrial supply lines whereby big capital puts out production of smaller components to these tier 1, 2, and 3 enterprises and even

micro enterprises. These MSMEs are usually labour-intensive, operating at low levels of capitalisation and are overtly dependent on availability of working capital for continuing operation. This type of production organisation is beneficial for big capital as it outsources uncertainty, minimises supervision and labour costs, and ensures flexibility in operation. For small capital, assured order-based demand provides a semblance of order that helps it tide over market uncertainty despite slender margins. So, while the interests of large and small capital can be antagonistic, as evidenced in the protracted political struggle over foreign direct investment (FDI) in multi-brand retail, they also share at specific conjunctures a symbiotic relationship.

The pandemic and the ensuing lockdown has vitiated the conditions of reproduction of capital as a whole. For large capital this has meant that its productive capacity lies idle in the absence of its lifeblood, labour. Capital erodes each day as it is unable to pay for itself or to accumulate for the future. Meanwhile, the future course of the economy becomes ever more uncertain. Forecasters the world over, seasoned in turning uncertainty into measurable risk, have finally tasted the proverbial human apple of Keynes. This twin crisis of profitability and uncertainty cascades back through the supply chain to circumvent small capital. The stability of an order-based demand, which is the MSME's only hedge against its thin margins, is disrupted and starves it of the immediate need for working capital. Each day of economic activity foregone is then both a tangible loss of wealth and a source of great uncertainty, both of which pose an existential threat to capital. Capital confronts the imperative need to restart production immediately and in earnest; but with the daunting, if not impossible, task of rationally planning business in a situation of both deteriorating profitability and historically unprecedented uncertainty.

CRISIS FOR LABOUR

If the economic burden of the lockdown has been destructive for capital, it has been devastating for labour. Most workers own little means of subsistence and are precariously dependent on the market for their labour power. They retain in the form of wages part of the wealth they create and realise for capital. But any disruption in the operation of capital is immediately detrimental to its very existence. Labour under capitalism is not awarded the same liberty as capital in separating its personhood from its economic entity. While the latter can lawfully bankrupt itself without a sliver of threat to personal well-being, any downturn in economic conditions precipitates into a crisis of social reproduction for labour. So, while for capital the lockdown is a crisis of preserving and furthering wealth, for labour it is a matter of sustaining life.

The sphere of production is not where troubles cease for labour. From the demand side, suspension of productive activity will lead to relative scarcity of goods and services once inventories run down, leading to an in-



K.V.S. GIRI

MIGRANT labourers traversing long distances, passing through Vijayawada on May 18.

crease in the prices of basic commodities. Agricultural commodities seem to be an exception as production remains robust, but continued disruption in supply chains may lead to glut in prices in areas of production and shortages elsewhere. This situation will price out the poorest with little or no owned means of subsistence, while leading to windfall profiteering for holders of inventory and black-marketeers. In this context, direct cash transfers, a prominent demand by some academics and social activists, by itself, will do little to mitigate the suffering of the poor. Given the neglect of fiscal measures in order to resuscitate production and exchange, even such a course would be futile. Goods have first to be produced before they are demanded.

Then, restoring production is imperative in the interest of not only capital but also labour. The question then is not so much about whether the economy needs to be immediately moved to a path of recovery as about doing it in a manner that protects the material interests of a vast majority of people in the country and ensures their safety.

The measures put in place by governments across the world to control the pandemic and resuscitate the economy are to be seen in the backdrop of this exacerbation of the general crisis of capitalism by the pandemic. A large part of the "cost" of the pandemic was socialised straight up by many countries through provisioning for large-scale testing and treatment through their public health systems, in some cases even necessitating emergency nationalisation of the health care sector. They also subsidised the immediate shock to social reproduction of labour by state-sponsored grocery supplies, and, in many cases, substantive cash transfers.

These relief measures from the demand side have been complemented by well-planned and supervised experiments in restoring productive economic activity. These experiments by countries such as Taiwan, South Korea and China have resulted in the realisation that the

new world may not resemble the old. That "living with the virus" entails putting in place workplace provisions such as strong hygiene practices, aggressive health monitoring, and in some cases even housing within factory premises. These have substantially increased overhead costs for capital, but have ensured continued economic activity while protecting workers from disease and hunger.

These realisations are not because of some inherent empathy capital has for labour, though there are certainly social values that preclude the crass degeneration of labour as seen in India, but because capital in these countries realises that this is the only pathway that ensures sustained valorisation in the new world via production on an expanding scale and, therefore, higher profits. In other words, capital sees this as the only rational and "progressive" market resolution to this crisis.

Indian capital is starkly different, especially in the way it has encountered this crisis and intends to tackle it. Almost instinctively, its attempts to mitigate the twin threats of deteriorating profitability and proliferating uncertainty rest on imposing its costs on public ownership, small capital, and labour.

DISMANTLING LABOUR LAWS

The first order of business has been an immediate resumption of production while mitigating any threat to profitability that may arise from labour's bargaining power. In pursuit of this rash adventure, it seeks a complete dismantling of labour laws, which, in effect, will give legal sanctity to suppression of wages, lengthening of the workday, and dramatic curtailment of "overhead" costs that would have in the current situation provided for workplace safety for workers. The aversion of capital to labour laws is not because they radically affect profitability of capital as such; they barely cover less than a tenth of all workers. Capital's aggressive attempt reflects its desire to snuff out the last whiff of challenge from organised labour that its own vulnerability may have offered labour at this time. This effort to dismantle the last vestiges of formal protection offered to labour, existent only in statutes stacked away in dusty piles in government offices, long forgotten by the factory owner and the inspector alike, is essentially a struggle between capital and labour over garnering a larger share in surplus. However, this struggle is paraded, through quackery of hired pens, as measures to tackle "inefficiencies". These "reforms" may in the first instance increase profitability of capital, and that perhaps is its dominant motive. However, while these costs are determined ex-post, their suppression will shift the uncertainty of realisation of profit by capital to wage earners.

Another facet of capital's response relates to its desire to expand operations into profitable avenues that have hitherto been dominated by small or publicly owned capital, such as agricultural supply chains, coal mining, defence equipment, India's space programme, among others. Quite apart from their strategic importance, in itself of significance, these sectors have for long been

gainful employers and an important source of revenue for the government. The implication of this expansion of operation of large capital would be a redistribution of wealth away from small capital and public sector undertakings to large corporations.

Lastly, this path advocates the government abandoning its fiscal obligations towards sustaining small capital and labour in a moment of crisis under the ideological duress of the pursuit of "sound" public finance. Globally, there is vibrant debate on the inescapable eventuality of larger government spending even at the cost of "fiscal slippage", a problem that has been easily remedied in practice by the monetisation of debt dressed up as quantitative easing by many central banks. India has continued to adhere to a militant and emasculating form of fiscal discipline, fearing the flight of speculative capital at the first indication of a credit agency downgrade. This fiscal discipline offers little space for expansion in social sector spending that is imperative to spur demand now.

An obvious target for relief is the MSME sector. The government, having already foreclosed fiscal support to this segment, appears keen to only maintain the pretense of passing the burden to the banks. Commercial banks, already reeling under a severe crisis of non-performing assets (NPA) may deny credit to MSME borrowers. The apparent poor credit-worthiness of MSMEs amidst the ongoing uncertainty offers them ample pretext. The simple course for the government in this situation would have been to protect the banks' balance sheets, but that is a strict no-no in the government's approach. In sum, in a world that needs substantial reorienting of production and distribution, Indian capital is resorting to a militant form of moribund neoliberalism to overcome its current crisis.

CONTRADICTIONS ABOUND

There are, however, intense contradictions that can undermine the realisation of the path that capital envisages. First, *prima facie*, there is no evidence that labour is in a rush to get back to work. Mortal fear has pushed workers, most of them migrants, to return home. This yearning for home and familiarity in times of a pandemic, though apparently inconsistent with the crude logic of cost-benefit analysis, is a powerful driving force in the mass reverse migration of workers since the partial easing of the lockdown. This withdrawal from the labour market is an exercise in the formal freedom that capitalism supposedly grants, but which it obstructs with might. Rather than provisioning for safety measures and immediate financial support that would reassure workers, employers have resorted to coercion. The restraint on workers' physical mobility in Karnataka reflects this intent.

Secondly, these measures if followed through, will lead to a huge contraction in effective demand. Consumption expenditure by Indian workers, already among the lowest in the world, will further decline with suppression of wages. Workers exposed to coronavirus due to a lack of safety provisioning at the workplace will also have to pay for their own treatment in the absence of a decent

public health system, which entails a further reduction of consumption. Destruction of small capital will impoverish a substantial part of the middle and lower-middle classes, which would result in a slowdown in demand.

Thirdly, it will disrupt the existing supply chains in manufacturing in which MSMEs play a pivotal role. It will not only undermine reproduction of small capital but also have a detrimental impact on large capital that relies on this backward-chained supply lines to maintain profitability and mitigate uncertainty.

Fourthly, while there will be windfall gain for big capital in profitable avenues in which operations are firmly established, such as coal mining and defence equipment production, there will be need for large-scale investment in an uncertain climate in avenues in which there is a need for overhaul of existing operational organisation. Even with the best laid plans, there are teething issues that in the current pandemic may amount to severe disruption caused by a retreating public sector and a dilettante private sector; all at the cost of public welfare.

Given the intense social contradictions these measures are likely to engender and their ultimate superfluity in resolving this crisis, even grievous self-affliction, why is there a broad consensus among the various classes of capital for this path, which is not only devastating for labour but also destructive of small capital? Despite this conflict within its ranks, why does capital exhibit a collective servility—barring a few honourable exceptions—to the government?

The most immediate point of unity among capital big and small is in their opposition to labour. There is a purported economic imperative in keeping their conditions of life wretched, vulnerable to debasing exploitation, and forgiving of Indian capital's many infractions to capitalism. It is not that this is the *only* viable path of capitalist accumulation at a time when the world is ripe with instances of development in human capital that has allowed accumulation on an expanded scale: but it is the only possible path commensurate with Indian capital's retrograde ideological moorings. Any measure to improve the lot of labour is seen as undermining capital's interests. Even the material, economic imperative of capital is not a monolith but one tempered with its ideological instinct.

Notwithstanding this unity, there are real economic contradictions between strands of capital, which are exacerbated by the current economic predicament. Small capital has found itself methodically undone by the government over the past few years by measures such as demonetisation, the implementation of the goods and services tax (GST), and a liquidity crisis. It now finds itself *atmanirbhar* against the vagaries of a fast concentrating market in a moment of crisis. Nonetheless, it continues its unwavering political support to the Bharatiya Janata Party (BJP).

There is a sinister ideological impulse at play. The Hindutva project has evolved over the decades from its latent embryo to its full development under the political ascendance of the Rashtriya Swayamsewak Sangh (RSS)

and the BJP. Sections of small capital, such as the north Indian Baniya, were already predisposed to a virulently conservative social agenda, having grown up in the communal aftermath of Partition. This social conservatism has now engorged with an increasing section of small capital identifying itself with the political project of Hindutva. Electoral outcomes indicate that even large sections of the working class, an unambiguous target of the BJP's neoliberal assault, are not free from its intemperance. This suggests that the Sangh Parivar has been successful in instilling the primacy of perceived Hindu interests over economic self-interest.

There are valuable lessons to be learnt from across the world, particularly Taiwan, China and South Korea, on how the economy can be reconstructed in the post-coronavirus world. The state can play a mediating role in ensuring the safety of workers and making adequate provisions for their social reproduction while ensuring production on an expanding scale and, therefore, profits to capital, big and small.

However, the Indian state has shown no inclination to enforce this "progressive path", nor has capital shown any inclination to submit to it. Its strategy mired in reaction is not without historical precedent. Indian capital has been notorious for capitulation to reaction, limiting the expansion of the home market and profitable avenues for itself.

Capital finds itself mired in its own precarity. If this crisis resolves in the image of the heathen path of Indian capital, laid and paved by the Indian state, workers will have to eventually return to work in the absence of safety provisions and get wages that barely ensure subsistence. Small capital would be decidedly throttled. These measures will expose lakhs to mortal peril of the pandemic and the co-morbidities of poverty.

This path of resolution is chillingly evocative of the "New Poor Laws" enacted in 1834 in Britain for which the work of Reverend Malthus bore the grim ideological justification. In his scheme the right to life was abrogated because of the inadequacy of nature in bearing the burden of its population; it was more humane to let people die than to reproduce a world of poverty with the attendant ignorance and vice. For the Indian bourgeoisie there is no salvation in noble intentions. Its rationale is driven by profit, but it also bears some responsibility for the precarity that is its fate now. In this service it is ready and willing to throw into mortal peril millions whom it adjudicates as not worth their means—an admixture of social Darwinism born of capital's avarice and brutality spawned by Hindutva.

Perhaps dominant capital believes this to be the way out of the current crisis. In reality, it may just be lurching from one crisis to the next one. Indian capital thus seeks its Malthusian moment, which brings to mind Antonio Gramsci:

"The old world is dying, and the new world struggles to be born: now is the time of monsters." □
Deepak K. is an economist working on issues of development.

A fragile federation under strain

Amid the lockdown restrictions, State governments find themselves trapped in a **fiscal and developmental crisis** caused by collapsing revenues, rising expenditures, soaring interest rates and, crucially, lack of support from the Centre. BY **C.P. CHANDRASEKHAR**

THE INAPPOSITE CENTRAL GOVERNMENT policy response to the COVID-19 pandemic in India wrought damage in many areas, among them is that on the fragile framework of economic cooperation between the Centre and the States. It is clear that the real task of mitigating the effects of the pandemic on the health and lives of citizens has fallen on the States. That is inevitable. As India prepares to lift the lockdown to stall the economic collapse it has caused, and face the inevitable spike in the number of COVID-19-positive cases, “the key to success... would be the preparedness of local governments in suppressing and managing outbreaks at the community level”, to quote David Nabarro, the World Health Organisation’s (WHO) Special Envoy on COVID-19.

Only State governments and decentralised governance structures can handle the task of managing the pandemic. Yet, the Centre has been presenting itself as leading the battle against the virus. Two moves have been central to that propaganda offensive. The first was the legal sanction the Centre gave itself in its self-assumed role of leader by declaring the pandemic a disaster and invoking provisions of the Disaster Management Act. Armed with those powers, it promptly resorted to the issue of mandatory, but frequently revised, “guidelines”, and followed that by transporting Central teams to monitor the performance of ostensibly recalcitrant State governments. There was to be no doubt as to who was calling the shots. The second move was to declare, with no preparation and warning, a stringent nationwide lock-



THERMAL SCREENING upon arrival at Danapur station, Bihar on May 4.

RANJEET KUMAR

down, covering badly affected and unaffected parts alike, which has had hugely adverse effects not merely on the economy but on the livelihoods and lives of the poorest sections, especially migrant workers.

Setting aside the debate whether such actions were justified, the least that could be expected of an agency that wants to concentrate in its hands the emergency political powers that it claims are needed in the midst of this crisis is that it also shoulder the collateral responsibilities. Principal among those is the responsibility to hugely hike expenditures from its own budget and to transfer substantial additional resources to the States, which are faced with collapsing revenues and sharply rising expenditures since they are the ones called upon to address the COVID-19-induced crisis on the ground. Most States have made requests for large transfers from the Centre.

Expenditure at the Central and State levels is needed to ensure large-scale testing, tracing and isolation; to ramp up medical facilities needed for those who fall ill; to protect health workers dealing with those who are infected; to provide relief to those who have lost their jobs or all or part of their earnings; to support small and medium businesses threatened with bankruptcy; and to restore employment, stimulate demand and revive economic activity as the lockdown is relaxed. Since it is the States that have to carry much of the burden of dealing with the crisis, the Centre must give priority to mobilising and transferring a large proportion of the additional resources needed to the States.

Support is crucial because even prior to the COVID-19 crisis, over 2019-20 as a whole, slowing growth and a failed goods and services tax (GST) regime had led to shortfalls in the States' share in Central taxes of more than Rs.1.25 lakh crore and reduced States' own tax collections by 1.6 per cent relative to the previous year. This meant that many States were approaching, or even exceeding, their fiscal deficit target limit of 3 per cent.

LACK OF CENTRAL SUPPORT

With revenues collapsing starting April, this tendency will intensify unless expenditures are reduced precisely at a time when they cannot but increase. Yet, Central fiscal support is near completely absent, to the extent that State governments are required to pick up foodgrains from the Food Corporation of India (FCI) at market prices, and the Centre is not even willing to cover the rail fares of migrants departing from different States as they return home because they have no jobs, no incomes and no places to stay.

The resources required are huge. The State that has been the most successful in addressing the pandemic, among those prone to its spread because of international travel by students, workers and tourists, is Kerala. With its well-developed public health system and experience with dealing with the Nipah virus, Kerala could plan appropriately in order to contain the pandemic. The Kerala government assessed that in the first instance it would need to spend an additional Rs.20,000 crore on

containment and relief. Other States, much larger in size, have provided estimated expenditures that are much less, but they will have to significantly step up their budgets as the war against the pandemic continues to be waged.

These are huge sums that need to be spent when there is no support from the Centre and their own revenues have collapsed. Delhi obtained Rs.320 crore as revenues in April 2020 as against Rs.3,500 crore in the same month of the previous year. The corresponding figures for Kerala are around Rs.150 crore and Rs.1,500 crore.

Moreover, the States are facing difficulty borrowing their way out of the crisis. To start with, there are strict limits on their borrowing, relative to their State Domestic Product (SDP), set by the unequal financial powers given to Central and State governments. But more important, when they choose to frontload borrowing permitted over 2020-21, they find that there is not much enthusiasm for State government bonds in the market, pushing interest rates for borrowing by Kerala, for example, to close to 9 per cent. With revenues collapsing, the Centre not offering the required support and interest rates soaring, the governments that must respond to the COVID-19 pandemic are trapped in a fiscal crisis.

There is an easy way out for the interim when the crisis is faced up to. That is for the Reserve Bank of India (RBI) to print money and buy into the bonds of the State governments at relatively low rates of interest, or for the Central government to borrow from the Central bank and make transfers to the States, which is the easier and better option. Even conservative economists, who normally oppose such "monetisation" of government deficit-spending, now agree that this is the only way to go. But neither the central bank nor the government that *de facto* controls its decision-making is willing to accept the obvious.

In sum, COVID-19 has severely intensified a disproportionality that is built into the distribution of powers and responsibilities characteristic of the Indian federal arrangement. There has always been recognition that while State governments are crucial players in the design and implementation of economic policy in India, there is considerable disproportionality between the capacity of the Centre and the States to mobilise resources and the responsibilities they have to shoulder in terms of the spending. The Finance Commissions were to decide on what proportion of resources raised by the Centre had to be transferred to the States to address this disproportionality.

As has been repeatedly pointed out, in the process of centralisation of power within India's quasi-federal framework, two among many tendencies have been operative. First, an effort by the Centre to increasingly mobilise resources through means of imposts that do not require the resulting revenues to be included in the pool of revenues that must be shared with the States. Second, efforts, in violation of what the Constitution originally envisaged, to frame the terms of reference of Finance Commissions in ways that make them agencies that can impose fiscal austerity, defined as "discipline", by limiting



OUTSIDE a deserted wholesale market in Delhi.

ANUSHREE FADNAVIS/REUTERS

the States' right to borrow and linking transfers to them to performance with respect to fiscal austerity targets.

That the Centre is failing to fulfill its own direct responsibilities is clear from the fact that the only COVID-19 package it has announced is partly a revamp of already existent schemes and partly a small increase in new expenditures. The combined total of these two sets of expenditures is short of one percentage point of the GDP, which is anywhere between one-fifth and one-tenth of what estimates suggest is actually needed. The Centre has clearly shirked on its direct fiscal responsibility.

Besides shirking its own responsibilities, the Centre is, in the middle of the crisis, holding back on resources that are rightfully due to the States and those that the States need to be provided with, given their dominant role in addressing the adverse impact of the pandemic on health and the economy, and therefore on livelihoods and lives. The Centre has been delaying transferring the statutory share of the taxes collected by the Centre to the States. It has not been paying the States the compensation due to them as per agreement because of shortfalls in GST revenues that accrue to them relative to what was projected for the first five years of the GST regime. The Centre's justification for renegeing on the compensation, that the resources available in the compensation cess fund are not adequate to compensate the States, is without basis given the understanding that in the event of any such shortfall the Centre would borrow money, compensate the States and extend the duration over which the cess is levied in order to garner the funds to pay back the debt incurred.

As if to rub salt into their wounds, when the Centre released, after much delay, a second instalment of Rs.6,195 crore owed to the States as part of the Rs.74,340 crore fiscal deficit grant awarded to them by the 15th Finance Commission in its interim report for 2020-21, the Finance Ministry statement said: "This would provide

them additional resources during the Corona crisis." The fiscal deficit grant had nothing to do with the COVID-19 crisis and was legitimately due to the States. Most recently, the Centre has made clear that it would not cover the States' share of the expenditure in centrally sponsored flagship schemes, which would bring many of these to a halt. In fact, the Finance Ministry has directed the concerned Central ministries to check whether the States were in a position to cover their share of outlays in order to utilise funds released by the Centre for these schemes. It is only if they are convinced that they have been utilised that additional funds will be allocated.

As a consequence of all this, as of now, as the caseload is set to spike in India, the State governments are collapsing into a fiscal and developmental crisis, and grasping at straws like State levies on petroleum products and alcohol that are still outside the GST regime. But that is small recompense for the revenue losses they are running up, undermining their ability to continue the war against the virus.

The fallout of this Centre-made crisis in the middle of a larger and near-unprecedented health-cum-economic emergency is likely to be threefold. The first is pressure on at least some State governments to contemplate exit from the GST regime that has deprived them not just of revenues but of even minimal fiscal flexibility in the middle of a great crisis. The second is the strengthening of incipient tendencies for States to work around or even break from the social compact established by the Constitution that includes the increasingly fragile power and revenue sharing relationship which no more works. And the third is a huge setback to the small "gain" India has recorded in postponing the main force of the COVID-19 crisis, which was meant to give the country the time to build the wherewithal to test, trace, isolate and treat adequately to slow the pace of infection, while the world awaits the coming of a vaccine. □

Waiting for Jabalpur moment

The Supreme Court's role in **ensuring executive accountability** during the ongoing lockdown leaves much to be desired. Standing in shining contrast is the record of some High Courts. BY **V. VENKATESAN**

DURING A VIRTUAL MEETING WITH TOP LAW officers on May 10, Union Law Minister Ravi Shankar Prasad emphasised the need to avoid “overzealous public interest litigations” in these “challenging times”. Underlying his statement is the assumption that public interest litigation (PIL) petitions, by their very nature, betray a lack of trust in the government, which is indefensible when it is fighting a pandemic.

While lack of trust in the government may have initially led a petitioner to approach the court seeking effective remedy on behalf of those who cannot approach it for various reasons, in all such cases the government is the respondent. This is a fact that makes it clear that the petitioner trusts the government. Recent PIL cases being heard by the Supreme Court in the wake of the prolonged lockdown underline the non-adversarial nature of the litigants' prayers. Rather than accepting the responsibility to respond to such prayers, the Centre chose to avoid them. The Supreme Court, in the case of migrants, added insult to injury by interpreting their rights-related grievance as a result of contributory negligence on their part.

In *Alakh Alok Srivastava vs Union of India*, the petitioner sought the Supreme Court's directions to district magistrates to immediately identify moving/stranded migrant labourers in their districts, shift them to the nearest shelter homes, provide them with sufficient food, water, medicines and counselling and, upon proper medical examination, ensure their return to their villages with dignity. More important, he drew the court's attention to the heart-wrenching tragedy at Gadhejgaon village in Aurangabad district of Maharashtra on May 8 in which at least 16 migrant labourers who were sleeping on railway tracks were killed by a speeding goods train. He wanted



S. SUBRAMANIAM

the court to ask the Centre why it could not prevent this tragedy despite its previous assurances that it was taking care of migrants.

Referring to the death of eight migrant workers in a road accident in Guna, Madhya Pradesh, on May 14, he said that any delay in preventing migrant workers from continuing their journeys on foot might result in more such tragedies, which are avoidable.

UNMOVED BY DEATHS

The Supreme Court bench of Justices L. Nageswara Rao, Sanjay Kishan Kaul and B.R. Gavai, which heard Srivastava, however, was hardly moved. It dismissed the petition on May 15, wondering how the court could stop migrants from walking. “How can anybody stop this when they sleep on railway tracks?” the bench said. The question seemed to suggest that the migrant workers were guilty of contributory negligence by sleeping on the railway tracks, and therefore, the authorities were not responsible for the tragedy.

When Srivastava said he was only seeking implementation of government guidelines, the bench reportedly mocked him saying, “Will you go and implement government directives? We will give you a special pass.” Solicitor General Tushar Mehta, representing the Centre, told the bench that the government was helpless if workers were determined to walk despite its plans to arrange inter-State transport with agreement between the States concerned. Srivastava's suggestion regarding district magistrates' role and responsibility was already with the Centre, which had promised the court during a previous hearing that it would examine it and take appropriate action. The court did not ask the Centre to explain



AP

AFTER THE MAY 8 accident in which a goods train ran over migrant workers sleeping on the tracks in Aurangabad, Maharashtra.

whether it considered the proposal feasible, and if so, whether it could fix responsibility for such tragedies. Instead, the bench took umbrage at the petitioner for approaching the court.

When Prashant Bhushan, counsel for one of the PIL petitioners before the court, told another bench that the Supreme Court was disposing of the PIL petitions filed in the wake of COVID-19 spread without verifying the Centre's claims, the bench had retorted that the court, as an institution, was not a hostage of the government. While the Supreme Court is sensitive to the criticism that it is abnegating its responsibility as a protector and enforcer of rights, especially of the powerless, during the pandemic and the lockdown, its non-intervention in such matters has hardly helped to erase that impression. In *Jagdeep S. Chhokar vs Union of India*, the petitioner challenged the Centre's advisory mandating two States to

deliberate upon the movement of a migrant worker. He contended that a migrant worker's ability to return to his/her native place should not be contingent upon a State's willingness to take him/her back and that it should be the Centre's obligation to allow for the migrant's travel. The petitioner also challenged the addition of the word “stranded” to the definition of migrant workers in the Home Ministry's April 29 order as problematic as it narrowed down the scope of eligibility of those who could avail themselves of the facilities for travelling back home. “This could invariably end up excluding millions who have lost all their income and savings and merely wish to go back to their native villages,” the affidavit said. Many migrant workers who might not be living in shelter homes/relief camps and might be stuck in rented accommodations could be excluded from the Centre's definition of the word “stranded”, the petitioner told the court.

When Prashant Bhushan, counsel for the petitioner, told the bench of Justices Ashok Bhushan, Sanjay Kishan Kaul and B.R. Gavai that the migrants had to pay 15 per cent of the ticket price and that it was not possible for them to bear the expenditure at the moment, the bench refused to intervene saying it was for the State concerned and the Railways to take necessary steps under the relevant guidelines. The bench merely recorded its hope that the difficulties of stranded migrant workers would be addressed and taken care of by the State governments and Union Territories concerned. “The substantial relief in the writ petition having been fulfilled we cannot expand the scope of the writ petition to consider other issues sought to be raised by the learned counsel for the petitioners during course of argument,” the bench observed before closing the case.

Jaideep Gupta, senior advocate of the Supreme Court, regretted that decades of development of the Supreme Court's PIL jurisdiction to rectify problems ranging from bonded labour to Sardarji jokes now stood in danger of being wiped out at the time of this gravest crisis. As he put it succinctly: “The migrants' walk home is not a casual irresponsible act of a citizen. It is a moment of existential crisis for them.” According to him, the court could have sought a scheme from the government and put its enormous influence to the execution of the same. What was disappointing to many was that the court was not even willing to pay lip service to the welfare of the migrants.

J&K INTERNET SPEED

In *Foundation for Media Professionals vs Union Territory of Jammu and Kashmir*, the bench comprising Justices N.V. Ramana, R. Subhash Reddy and B.R. Gavai held on May 11 that a Special Committee headed by the Union Home Secretary should examine the feasibility of allowing faster internet (3G or 4G) connection on a trial basis over certain geographical areas in the Union Territory. In this case, the petitioners were aggrieved that the Jammu and Kashmir government had restricted the mobile internet speed to 2G. They contended that this had greatly limited health personnel's capacity to control the

spread of COVID-19 and also infringed on the citizen's right to education, health, business, and freedom of speech and expression. The bench did not question the Centre's claims that the number of terrorism-related incidents and cases of cyber terrorism had gone up since August 5, 2019, when it abolished the special status of Jammu and Kashmir under the Constitution. Instead, the bench accepted the Centre's submission that the 2G speed limit was useful in restricting the flow of information, thus preventing misuse of data by terrorists and their supporters to disturb the peace and tranquillity of the Union Territory.

It did not occur to the bench that the claim of a spike in terror and cyber crimes since August 5, 2019, and the contention that a 2G speed limit would restrict flow of information and prevent misuse of data by terrorists are mutually contradictory and cannot be true at the same time.

Besides, the bench's wisdom in trusting the Executive to decide the "feasibility" of increasing the internet speed in the Union Territory—when the same Executive has been arraigned as the respondent who denied the legitimate rights of the people—bewildered observers.

It is, however, heartening that when the apex court failed to live up to the expectations of the common man, some High Courts rose to the occasion and filled the void left by it to ensure that both the Centre and the State governments fulfilled their responsibilities under the Constitution.

Acting on a petition filed by one A.P. Suryaprakasam on behalf of migrant labourers from Tamil Nadu who had been illegally detained at Kupwad in Sangli district of Maharashtra, the Madras High Court on May 15 made the Centre and the Tamil Nadu government respondents. The bench of Justices N. Kirubakaran and R. Hemalatha observed: "One cannot control his/her tears after seeing the pathetic condition of migrant labourers shown in the media for the past one month. It is nothing but a human tragedy.... After waiting for a considerable time, they started migrating to their native States by foot. It is very unfortunate that those persons were neglected by all the authorities.... 16 workers working in a steel factory in Julna, Maharashtra, who were sleeping on rail tracks while returning to Madhya Pradesh were crushed to death near Karmad around 30 km from Aurangabad by a goods train on 08.05.2020. Even after the sorrow and sufferings of the migrant workers were reported in the media, nothing happened for the past one month as there was no coordinated effort between the States...It is very pathetic to note that neither the native States nor the States through which they were walking all along took care of them and failed to provide even the basic amenities such as food and shelter and even if they had been provided, they were negligible."

The bench asked the Centre whether it maintained any data regarding the details of migrant workers working in each State/Union Territory and their nativity. It also sought data regarding the number of migrant workers stranded in each State/Union Territory, assistance



ATUL YADAV/PTI

provided to them by the respective States and the Centre, the number of migrant workers who died on their way to their native States, relief measures and compensation provided to the families of those deceased, the number of migrant workers who had been transported to their home States through public transport, and whether the Centre had instructed the respective States/Union Territories to provide financial assistance, job opportunities in their native State/Union Territories for the labourers who migrated from other States.

The Karnataka High Court drew attention to the desperate situation in which the migrant workers found themselves under the prolonged lockdown. A bench comprising the Chief Justice Abhay Shreeniwas Oka and Justice B.V. Nagarathna noted that migrant workers would not try to walk back home if the State government concerned had conveyed its assurance to them that it would enable their travel through public transport. The bench made it clear that considering the constitutional rights of the migrant workers, no one should be deprived of an opportunity to go back to his/her own State just because they were not able to pay for transport in a situation where they had lost their livelihoods. The bench held that the State governments should either convene meetings with non-governmental organisations (NGOs) and other trade associations to arrange for the fares of migrant workers who could not pay or pay these fares themselves.

MANGAL, a migrant worker, and his child trying to make their way back to Bihar, in Ghaziabad on May 20.

On May 15, a bench of Justices D.V.S.S. Somayajulu and Lalitha Kanneganti of the Andhra Pradesh High Court directed the State government to ensure food, toilets and medical help for migrants.

The bench observed: "This court notices that the labour who have left their ancestral homes and villages and moved to the cities for better livelihood to ensure that all of us live in comfort are on the roads today. They represent the people who are working in hundreds of different trades, callings etc., and all of them together ensure that we lead a happy and comfortable life. If at this stage, this court does not react and pass these orders, this court would be failing in its role as a protector and alleviator of suffering.... They deserve more help particularly when they are trekking back with their heads high instead of living at someone's mercy."

The bench issued a slew of directions to the State government to ensure provision of adequate food, drinking water, oral rehydration salts and glucose packets, temporary toilets in a hygienic condition to ensure the privacy of women, and organisation of sanitary pad dispensing machines for walking migrants.

It also directed the government to transport those who were facing difficulty while walking back home to the nearest shelter in the patrol vehicles of the National

Highways Authority of India (NHAI) and the Police Department. Efforts should also be made to persuade migrant workers to stop walking and to use public transport, the bench held. On May 11, the Gujarat High Court took *suo motu* notice of media reports on the migrants' plight. A bench comprising Justices J.B. Pardiwala and Ilesh J. Vora pointed out that there was no proper coordination among various departments of the State government.

"The State authorities should come forward with some modalities or plans to smoothen and ease the process so that the migrant workers may not have to wait for hours and hours together before they are able to board the trains or bus," the bench held. It sought to know from the State government how many shelter homes were functional and where.

The bench observed: "The State government should keep in mind that they are at present dealing with the most downtrodden, underprivileged and weaker sections of the society. They are all afraid. They are not afraid of COVID-19, but they are afraid that they would die due to starvation. In such circumstances, it becomes the paramount duty of the State government to assure and repose confidence in the downtrodden class of people that they will be taken care of in the best possible manner." The bench then directed the State government to revert to it with some concrete plans to take care of the problems faced by the people at large. "We would not like to interfere with the day-to-day functioning of the State government in this regard, but, at the same time, we should ensure that the situation does not go from very bad to worst. In such circumstances, the judiciary will have to intervene," the bench added.

On May 4, a Delhi High Court bench comprising Justices Hima Kohli and Subramonium Prasad, in *Rakesh Malhotra vs Government of National Capital Territory of Delhi and Others*, directed the Delhi government to update its website on a regular basis to reflect the number of tests being conducted for COVID-19 in Delhi, mention the number of positive and negative cases, and the number of results that are pending after the tests are conducted. It also directed the Delhi government to ensure that the samples that are furnished to the accredited labs are processed and reports forwarded within a period of 24/48 hours.

During the hearing of a petition filed by the NGO Delhi Rozi Roti Adhikar Abhiyan on May 7, a bench of Justices Siddharth Mridul and Talwant Singh directed the Delhi government to instal complaint boxes at all ration shops in the city to ensure proper distribution of foodgrain during the crisis.

The petition alleged that fair price shops were not operating during working hours and often did not have rations. The bench directed that all helpline numbers should be functional. Emphasising that rations should be provided to all those in need irrespective of whether they had a ration card, the bench asked the Delhi government to simplify the public distribution system through e-coupons.

One wonders whether the ghost of A.D.M. Jabalpur has returned to haunt the Supreme Court.

On May 8, a Delhi High Court bench comprising Justices Siddharth Mridul and Talwant Singh extended the interim bail granted to 2,177 undertrial prisoners (UTPs) for a period of 45 days in view of the continuing COVID-19 pandemic.

The Delhi government constituted a high-powered committee following a direction by the Supreme Court to recommend grant of bail to UTPs to decongest prisons in Delhi. The bench accepted the committee's recommendation and granted bail. On the same day, Justices Vipin Sanghi and Rajnish Bhatnagar, in *Karan Seth vs Union of India*, issued directions to officials to cater to the needs of underprivileged persons suffering from non-COVID-19 chronic diseases such as cancer and tuberculosis in government hospitals.

On May 9, Justice Rohit B. Deo of the Nagpur bench of the Bombay High Court held that human dignity and rights cannot be sacrificed on the pretext of handling extraordinary situations. The judge directed the police not to resort to extralegal measures or punishments while enforcing the lockdown.

On May 4, Justice B.P. Colabawalla of the Bombay High Court directed the Maharashtra government to file a reply in a public interest litigation filed by a former legislator, Mohan Joshi, seeking distribution among health professionals of sanitisers, face masks and personal protection equipment (PPE) kits seized by the police from black marketeers. Justice Colabawalla asked the State government to create an inventory of such seized products and file an affidavit. The Mumbai Police reportedly seized 25 lakh masks which were being smuggled out of India. The petitioner learnt from State officials that there were no guidelines for the release of such confiscated masks seized by the police.

On an urgent hearing held on May 3, a Sunday, Justice Anil S. Kilar of the Nagpur bench of the Bombay High Court issued notice on a PIL alleging that municipal authorities had randomly picked 1,408 non-risk persons from Nagpur for quarantine in violation of the guidelines issued by the Centre and the Indian Council of Medical Research (ICMR). The petition also raised the concern that the persons so quarantined had been lodged in crowded areas instead of a facility on the outskirts as recommended by the guidelines.

On May 9, Justice Revati Mohite Dere of the Bombay High Court held that quarantine facilities cannot be used by the police to keep away people whom the police consider to be of nuisance value. Quarantine facilities cannot be used as preventive detention or as a punitive measure,

the court held. The case arose out of a petition filed for the release of K. Narayanan, president of the Centre of Trade Unions (CITU), Mumbai district committee, who had been placed under quarantine on the instructions of the police for over 14 days, although he had tested negative for COVID-19. The High Court found no plausible reason to justify his quarantine beyond 14 days. The police had registered cases against him under the Indian Penal Code and the Disaster Management Act in relation to his distributing food and other essential supplies among migrant workers.

In *Rashtriya Shramik Aghadi vs the State of Maharashtra and Others*, Justice Ravindra V. Ghuge of the Aurangabad bench of the Bombay High Court, on May 12, held that the court could not turn a Nelson's eye to an extraordinary situation on account of the coronavirus pandemic and that the principle of "no-work-no-wages" could not be made applicable now to workers who were unable to work for reasons beyond their control.

On May 16, the bench of Chief Justice Dipankar Datta and Justice A.A. Sayed took note of the concerns of patients suffering from non-COVID-19 diseases and directed the authorities to consider implementing suggestions to address them. One of the suggestions is to start a helpline to assist non-COVID-19 patients with ambulance, mobile medical aid, list of hospitals and clinics providing treatment. Provision of mobile clinics and paramedical services at different locations to help patients who require preliminary check-ups, dialysis, and so on, is another.

During the Internal Emergency declared by the then Prime Minister Indira Gandhi in the mid 1970s, nine High Courts declared that citizens had a right to approach the courts to protect their rights under Article 21.

The Supreme Court set aside these nine judgments and ruled to the contrary through a 4:1 majority judgment in *A.D.M. Jabalpur vs Shivkant Shukla*; the sole dissent was by the illustrious Justice H.R. Khanna. The majority on that bench uncritically accepted the Centre's claims. It is not surprising, therefore, that many see a A.D.M. Jabalpur moment in the ongoing crisis facing the Indian judiciary with many High Courts actively intervening in favour of citizens' rights while the Supreme Court appears inclined to abdicate its responsibility to uphold those rights and to uncritically accept Centre's claims. In *Justice K.S. Puttaswamy (Retd.) vs Union of India*, a nine-judge Constitution Bench of the Supreme Court expressly overruled on August 24, 2017, its own judgment in *A.D.M. Jabalpur* while upholding the right to privacy as a fundamental right. One of the judges on the bench, Justice Kaul, wrote: "I fully agree with the view expressly overruling the A.D.M. Jabalpur case which was an aberration in the constitutional jurisprudence of our country and the desirability of burying the majority opinion ten fathom deep, with no chance of resurrection" (paragraph 82).

One wonders whether the ghost of *A.D.M. Jabalpur*, despite its decent burial in the Puttaswamy case, has returned to haunt the Supreme Court. □

Understanding migration

When governments and their plans are found to be blatantly wanting in addressing reverse migration, exercises such as the **Ekta Parishad's survey** of migrant workers throughout India can be useful to work out creative long-lasting solutions. BY **DIVYA TRIVEDI** AND **VENKITESH RAMAKRISHNAN**

"For me, India begins and ends in its villages."

—Mahatma Gandhi.

"... the old Indian social structure which has so powerfully influenced our people... was based on three concepts: the autonomous village community, caste and the joint family system."

—Jawaharlal Nehru.

"The Hindu village is the working plant of the Hindu social order. One can see there the Hindu social order in operation in full swing."

—Bhimrao Ambedkar.

THE THREE TOWERING LEADERS OF THE freedom movement differed in their ideas of the village and, by extension, about what constituted progress. "While for Gandhi the village was a site of authenticity, for Nehru it was a site of backwardness and for Ambedkar the village was the site of oppression," wrote Surinder S. Jodhka in his 2002 article "Nation and Village" in *Economic and Political Weekly*. Of the three, only Ambedkar had some first-hand experience of village life during his childhood. But all of them essentially belonged to towns, had been to foreign lands for study or work and had families that were mobile. They also agreed that the status quo of the village needed to change for India to have any semblance of progress.

Right from the beginning of the 20th century, rural-to-urban migration started growing because of varied factors including fragmentation and subdivision of land and greater job opportunities in urban areas. It gathered momentum after Independence and has risen to torrential levels since the implementation of economic liberal-

MIGRANT FAMILIES from Uttar Pradesh about to board a bus in Madurai to reach the railway station, on May 18.



isation policies began in the 1990s. The crippling and long-standing rural distress caused by these policies fuelled this trend over the past three decades.

The current exodus of migrant workers desperately trying to get back to their native places during the lockdown has, however, added an altogether new dimension to the phenomenon of internal migration in India. It has become, at the same time, an abject illustration of the inhuman impact of the policies of globalisation and economic liberalisation on the marginalised sections faced with a life-threatening pandemic. The reverse migration reflects their utter helplessness as they try to go back to their impoverished village homes in the hope that this will save them from death by starvation.

In this unfolding tragedy, what stands out starkly is the casual indifference with which the Union government and many State governments have addressed this extraordinary situation. As migrants continue to make long journeys home largely on their own, the official machinery does not seem to have even a count of the people on the move. Nor is there any concerted effort to get this ascertained. Informal estimates, based on inadequate data, have rated this reverse migration as a bigger exodus in the subcontinent than even the mass migration of approximately 17 million people caused by Partition. According to the World Bank, the lockdown has impacted livelihoods of nearly 40 million internal migrants. Around 50,000-60,000 people moved from urban centres to rural areas of origin in the span of a few days, according to the report "COVID-19 Crisis Through a Migration Lens". "Lockdowns, loss of employment, and social distancing prompted a chaotic and painful process of mass return for internal migrants in India and many countries in Latin America. Thus, the COVID-19 containment measures might have contributed to spreading the epidemic," said the World Bank.

The Census of 2011 counted 450 million internal migrants, of whom 78 million, or 15.6 per cent, were rural-to-urban migrants. More than half, 55 per cent, of those who moved from rural to urban areas were women. Inter- and intra-State migrant workers were mostly from Uttar Pradesh, Bihar, Madhya Pradesh, Punjab, Rajasthan, Uttarakhand and West Bengal and constituted about 130 million. If the lockdown displaced even a fraction of this 130 million, it is still a huge number. The issue should have been high on the list of priorities of the Union and State governments. However, the incompetence of governments and local administrations exacerbated the already difficult situation of migrant workers.

Hardly 17 per cent of local administrations responded to the needs of migrant workers across various States. Companies employing migrant labour did not measure up either, with only 28 per cent of them supporting their workers. None of the State governments had any system in place to enumerate the number of migrant labourers working in other States. Consequently, the majority of State governments took more than a month to even get started on addressing the migrants' issue. For instance, the majority of migrant workers from

Jharkhand who were stuck in Madhya Pradesh were totally dependent on the mercy of local municipalities and non-governmental organisations (NGOs) for food during the lockdown. Similarly, in the absence of reliable information, migrant workers from Bengal stuck in Maharashtra were clueless about what the Bengal government was doing for them.

Ramesh Sharma is the national convener of the Ekta Parishad, an NGO with a sustained and decades-long focus on the rural sector, especially at the level of agrarian reforms, land distribution and the livelihood concerns of agricultural workers and migrant labour. He said: "The failure of inter-coordination among States showed the absence of any information regarding migrant workers." He called it a "gross weakness".

During the lockdown period, the Ekta Parishad created a "Migration Map of India" with the help of its more than thousand activists across the country. They reached out to migrant workers not only in the cities but also in far-flung places like Ladakh, the Pakistan border, Arunachal Pradesh and remote districts within States. Away from the media glare, they came across migrants from Assam's Tinsukia stuck in industries of Bengaluru, Khammam (Telangana) and Idukki (Kerala). The Ekta Parishad is in the process of putting together a comprehensive report based on the survey. The organisation shared vignettes of this report in the making with *Front-*

line. These highlight some of the key issues that are felt on the ground by the migrant worker, even as the exodus continues apace.

PITIFUL WAGES

A key finding is how pitiful the wages paid to the workers are. As highlighted by some case studies, this makes them unable to create any savings to meet an extraordinary, life-changing situation such as the COVID-19 pandemic. Kanti Bai Sahariya, a tribal woman from Madhya Pradesh's Sheopur, migrated to Jaisalmer in Rajasthan along with 22 others of her village for the harvesting of the cumin (jeera) crop. Their earnings were less than the minimum wages specified for un/semi-skilled labour. Budhram of Gariaband in Chhattisgarh had migrated to Basti in Uttar Pradesh to work at a brick kiln. He earned Rs.400 for making 1,000 bricks. Worse, 15 to 20 per cent of the wages were taken away by the agent who found him the work. While the authorities have no mechanisms to address such outrageous mismatch between wage and labour, the current Union government and even the parliamentary committees seem to be proactively and prospectively protecting the employer during situations such as the COVID-19 pandemic.

Consider this. In 2019, Parliament passed The Wage Code, which consolidated the provisions of four labour laws and universalised the provisions for minimum

wages and timely payment of wages for all workers in India. Seven months later, the parliamentary panel on Labour headed by Bhartruhari Mahtab of the Bharatiya Janata Party (BJP) submitted a report to the Lok Sabha, which said: "...in case of natural calamities like earthquake, flood, super cyclone, etc., which often result in closure of establishments for a considerably longer period without the employer's fault, payment of wages to the workers until the re-establishment of the industry may be unjustifiable."

Mahtab said that industries had the lockdown forced on them and could not be compelled to pay wages for the lockdown period.

Ramesh Sharma observed that the Wage Code meant nothing for workers without any wage security. "What does it mean for Chappan Singh Lodhi, a Dalit industrial labourer from Damoh [Madhya Pradesh] who lost his wages against work done for a Pune-based Industry? Lodhi, along with 32 industrial labourers, under lockdown in an industrial slum of Pune, hadn't heard about the 'Wage Code'. It also means nothing for Suraj, a tribal industrial labourer from Dhanbad [Jharkhand], along with his 21 friends under lockdown in MIDC [Maharashtra Industrial Development Corporation] Ahmednagar," he said.

The current exodus has four main categories of migrant workers on the move—those who work in the agricultural, construction and industrial sectors and those engaged in services. The Ekta Parishad survey found that 95 per cent of the migrant workers wanted to go back home despite the insecurity of financial loss and state of unemployment. An overwhelming 86 per cent of those away from home were uncertain about their livelihoods. Only 5 per cent of them wanted to stay back in their place of work. "There is certainly a tectonic shift in the psychology of the migrants. Despite knowing that they are returning home empty-handed and have no means of earning a livelihood, they want to go back. In my conversations with them, I asked them why. Economic security is the third or fourth expectation of a person. The first two expectations are linked to psychological issues and social security. Several of the migrants said that if they must die, they would rather die at home than in the cities," Sharma told *Frontline*.

MENTAL HEALTH

Around 68 per cent of the migrant labourers surveyed by the Ekta Parishad were psychologically depressed and would need support in a post-lockdown situation. A 30-year-old man belonging to the Baiga tribe walked for four days from Sagar district in Madhya Pradesh to neighbouring Sidhi with 21 other farm labourers. He was quarantined in a government school in his village. He sought permission to go to the bathroom and was later found to be hanging from a tree. He had committed suicide.

Drawing parallels with tsunami survivors, Sharma said that half of them had been affected by psychological disorder. The World Health Organisation (WHO) has



MIGRANT workers travelling home on a goods truck pass through Bhubaneswar on May 21.

BISWARANJAN ROUT



V. RAJU

MIGRANT WORKERS walking home pass through Vijayawada on May 19.

standard protocols for psychological first aid for communities emerging from a crisis situation. Not a single State, perhaps with the exception of Kerala, had observed any of this with regard to returning migrants, Sharma said. “Providing rations is like firefighting. A pandemic is not an opportunity, I am sorry. It is a time to introspect about the fault lines of institutional failure. People are in serious distress, and I keep telling the government as well as NGOs that they need to go beyond simply providing rations, which is important no doubt. We need to start work on phase two of relief operations, which includes psychological support,” he said.

Along with mental health needs, physical distress faced by migrant workers also requires urgent attention. Approximately 44 per cent of the migrant women and children surveyed by the Ekta Parishad were found to be in bad health.

A large chunk of the migratory population, over 50 per cent, is landless and poor. Since they had no means of survival in the villages, they had chosen to migrate. Now that they are returning home, it is time to intensify efforts at land reforms and strengthen community resources, as the Ekta Parishad survey stresses. The organisation has worked for long with communities on land rights. Sharma said: “The biggest issue in trying to strengthen small-scale agriculture is that of water. Wherever we have built water-harvesting structures, migration has halved.” He added that villages showed huge discrepancies in access to resources and opportunities. While some communities—the upper and dominant castes—owned and manipulated both resources and opportunities, others—the lower castes, tribes and marginalised communities—had neither resources nor opportunities.

The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) had been effective in arresting distress migration to a certain extent by providing employment for 100 days near the rural residence of a person. But after the BJP came to power at the Centre, the scheme, which had been launched by the United Progressive Alliance government, was run down. In 2015, Prime Minister Narendra Modi had mocked the

scheme as a “living monument of Congress-led UPA’s failures”. Last year, Rural Development Minister Narendra Singh Tomar indicated that the government was not in favour of “continuing with MGNREGA forever” as it was for the poor and the government wanted to eradicate poverty from India. Yet in 2017, replying to a question in the Rajya Sabha, Minister of State for Rural Development Ram Kripal Yadav had admitted that “studies indicated direct and positive impact of MGNREGA in reduction of distress migration by providing work closer to home and decent working conditions”.

In what seems like a welcome change of heart, Finance Minister Nirmala Sitharaman has allocated an additional Rs.40,000 crore to the MGNREGA as part of the economic package to address the COVID-19 crisis.

Sharma said that if Modi’s vision of “aatmanirbharta” (self-reliance) had to be achieved, economic decentralisation was as important as political decentralisation. “An aatmanirbhar Bharat [self-reliant India] cannot be built without an aatmanirbhar Bharatiya [self-reliant Indian],” he said, adding that the problem was a woeful lack of understanding, both in the media and in the government, of the lives and preferences of migrant workers.

PATTERNS OF MIGRATION

The Migration Map created by the Ekta Parishad is a great place to start to understand the patterns of migration, the compulsions that fuel it, and the solutions that can be worked out. The details thrown up by the survey could help governments to come up with clear-cut and nuanced approaches. For instance, Manipur had the maximum intra-State migration owing to high poverty levels and a population largely dependent on agriculture. The two States where women migrate more than men are Manipur and Odisha (specifically, Sundergarh in Odisha). The women travel to metros to work as domestic workers. “Looking at them we may think they are Nepali, but actually they are Manipuri. The other place from where a lot of women migrate to work as domestic labour is Jharkhand,” Sharma said.

The Ekta Parishad survey highlights an interesting migratory pattern in Assam’s tea gardens. The tea gardens have permanent migrant workers—the Santhals from Jharkhand—while local workers go to south Indian States for work. (North-eastern migrants prefer going to south India.) For Biharis, Punjab is the first choice. For a worker from Uttar Pradesh, it is Delhi or Mumbai. A worker from rural Bihar prefers going to rural Maharashtra or Gujarat. Similarly, a migrant from Madhya Pradesh prefers the rural parts of Gujarat or Maharashtra. When governments and their plans are found to be blatantly wanting in addressing the reverse migration that is happening, exercises like the ones taken up by the Ekta Parishad can be useful to work out creative long-lasting solutions. □

“Strangers in cities”: page 85

Tragedy on foot

As the COVID-19-induced lockdown cuts the ground beneath their feet in Tamil Nadu, **thousands of migrant workers** are trudging along the highway to the relative safety of their upcountry homes.

BY **R.K. RADHAKRISHNAN**

A GROUP OF 13 MIGRANT WORKERS FROM Bihar, who had just begun their journey back home on foot from Valsarawakkam in Chennai on May 19, had chalked out a plan. “Our target is to reach TJS Engineering College in Gummidipoondi [a government-run camp]. People from our village are there. They left yesterday. We will join them and go to Patna from there,” one of them, Rajesh, said.

Why were they leaving Chennai just when industries

were reopening after the lockdown? “We are running out of money because we haven’t worked for about two months,” said one of them. His friend said they were not sure of getting jobs at the same place. “We are also scared of corona,” said another. “It is better to go home during times like these.”

Just as they crossed the Anna Nagar Coom bridge on the Inner Ring Road, a few volunteers on the road gave them masks and caps. A little way ahead, a mini truck



B. JOTHI RAMALINGAM

MIGRANT WORKERS from various industrial units and construction sites on the National Highway en route to their native towns in Jharkhand, Bihar or West Bengal, in Chennai on May 19.

driver offered them a lift to Madhavaram, a northern suburb closer to Gummidipoondi. “He demanded only Rs.500 to take all of us to our destination,” said one of them. With a lot of luck and with the help of another truck driver, they reached Gummidipoondi by evening.

While there has been no news of their onward journey, the 13 were confident that they will somehow manage to reach their destination. Their optimism was not misplaced: of all the migrant labourers who have been on the road to Andhra Pradesh and beyond, this group perhaps had taken the shortest time to reach Gummidipoondi from the city—50 km in about eight hours—while other groups, some consisting of women and children, obviously took much longer.

On the same day at around 3-30 p.m., just off the Nallur toll plaza on National Highway 5, 21 km from Chennai, the police from Chennai’s neighbouring district, Tiruvallur, stopped a group of 30 labourers walking towards their villages near Lucknow, Uttar Pradesh. “You need to get medically checked and then you can proceed with the papers,” a constable told them before sending them back to Chennai even as they argued with him to let them cross the newly strengthened “checkpoint”—set up primarily to prevent migrant labourers from crossing over to Tiruvallur district.

‘NOT IN MY BACKYARD’ SYNDROME

Apparently, every district administration seemed to be washing its hands of the migrant problem. On May 14 and 15, the administration of Andhra Pradesh’s Nellore district, adjoining Tiruvallur, transported labourers who had walked almost 50-70 km into that State back to the Tamil Nadu border, at Tada. This correspondent is aware of multiple instances in which labourers were transported—in collaboration with volunteers—by trucks into Chennai metropolitan limits.

Obviously, Andhra Pradesh did not want to take any responsibility for those walking across the length of the State to Odisha and Jharkhand even though its Chief Secretary pulled a public relations exercise by arranging a vehicle for some migrants on foot.

Andhra Pradesh was merely following the orders of the Union Home Ministry, which initially asked States to ensure that migrant labourers did not walk home. On May 18, however, the Ministry, knowing that the number of migrants on the road were too large, modified its rule so as to allow them to walk. The order (D.O. No. 40-10/2020-DM-I (A)) from Ajay Bhalla, Home Secretary, on May 18 states: “For routes where the migrants are known to be already travelling on foot, arrangement could be made by the States, which are en route, for designated rest places, taking into account requirement of sanitation, food and health.”

But these instructions had not percolated down and the group of migrants from Uttar Pradesh was forced to retrace their steps and look for the marriage hall where the police said certificates would be issued after a check-up.

Though distraught, they said this was nothing new to

them, having been pushed around by the police quite a few times since they began their journey on May 18.

RELIEF CENTRES

The Tamil Nadu government has indeed set up relief centres, but there were too many problems in coordinating their functioning at the ground level. “They [the government] have given us a list of night shelters. Most of these places are inaccessible because either the phone [of the contact person] is switched off or they say the centres are full,” said Himakiran, a Tiruvallur-district based agriculturist, who is volunteering to help the walking labourers. “We get many SOS calls [from the labourers]. Our team has registered more than 2,200 people in different groups, of 5, 20, 50. And they ask us where to go. The problem is that local police officials keep moving them saying, ‘go somewhere else.’ People were picked up from the Andhra border and dropped off at Madhavaram. They [Madhavaram Police Station] send them back to Gummidipoondi. Then it becomes Gummidipoondi’s problem. This has been so for the last five to six days,” he added.

By May 20, the State government got its act together. A team of volunteers who visited the 15 additional relief centres put up by the government along NH 16 reported that they were much better than the earlier ones. “Although they are small in size, work is happening with registration and departures,” one of the volunteers said. On May 20, there were about 5,000 migrant labourers each in these centres. The next morning, there was an issue of food shortage, but the volunteers, with the help of NGOs and political parties, resolved it quickly.

It was apparent that the government was caught unawares with regard to the number of migrants walking home. There were numerous instances of MPs and representatives of political parties from Jharkhand, West Bengal and other labour-sending States getting in touch with their counterparts in Tamil Nadu with SOS messages of labourers being held against their will; of labourers being stranded in one city or another; and of labourers not having money even for a meal.

Social media too was rife with posts of workers being harassed or forced off the roads. The State acted in quick time to solve the specific issues posted online, but failed to look into the problem as a whole or earmark resources to monitor all north-bound roads out of the State to help migrants.

AT THE RAILWAY STATION

Meanwhile, a different situation was unfolding at south India’s largest railway terminus, the Chennai Central, where migrant workers have been waiting patiently every day for trains to take them back home. “On May 20, as many as 13 trains will be ferrying migrant workers. We have sent home about one lakh migrants,” an official said. What he did not say was that a far bigger number of migrants were in for disappointment each day.

The train did not leave the station that day (May 20) because of super-cyclone Amphan. The police immedi-



R. RAVINDRAN

POLICEMEN stopping migrant labourers headed for Uttar Pradesh, in front of Pachaiyappa’s College in Chennai on May 19.

ately arranged for local buses to transport the migrants back to the south of the city. But many of the labourers, from Tripura, said they had already vacated their places of stay and had no idea where they would spend the next few nights.

But disappointments are not new to migrant labourers. On May 15, a group of Odisha labourers on bicycles were in Elavur after being turned back from the Tada checkpost. “We were asked to produce certificates to move to Andhra Pradesh,” said one of them.

They had tried a few other routes too to cross over. One was the railway line. But after the second week of May, Railway Protection Force personnel posted along the tracks beat back anyone trying the rail route. A third circuitous route to reach Andhra Pradesh too was blocked, this time by the Nellore police.

‘SUCCESS’ STORY

Not all stories are of failures. At around 3 p.m. on May 19, Anil Kumar, 37, who is a specialised polisher in an industrial piping works in Taramani, and 30 others from Bihar’s Nalanda district were waiting for a bus at the Madhavaram roundabout from where a bus was to pick them up. “We will be dropped off at Nalanda town at Rs.7,500 per head sir,” said one of them. That works out to Rs.2.25 lakh for a journey of about 2,000 km. It is more than the usual average of Rs.40 per km charged for an ordinary non-A/C bus.

“I have been in Chennai for more than 12 years, initially in the Ambattur Industrial Estate, then near Perungalathur and now in Taramani. I speak Tamil well,” Anil Kumar said, before rattling off in Tamil that he was not leaving the city for lack of work.

“My employer routinely holds back salaries. It’s difficult to work for people like him,” he said. Yes, the coronavirus outbreak has created a scare and he wanted to be home at this time. “Why am I here, sahib? To take care of my family, right? When there is such a big problem as corona, and if I am not home with them, then what

good is all the money?” he asked. Anil Kumar noted this correspondent’s number and said he wanted to come back once the corona scare was over. On the journey, he switched off his phone to save battery except to make a call home occasionally. On May 20, he called to say that the group of 30 had no problems in Andhra Pradesh and that they were now at the Odisha checkpoint.

“Many people from Odisha and other places left our company. After that they hired local people. The problem with local people is that unlike us, they do not stay nearby. They come from other places. We were scared we will get corona,” said another labourer.

A company in Gummidipoondi allowed migrants to leave if they did not ask for the wages for the month. They agreed. But now, they had a new problem in finding a place to stay.

Some others are forced to move for reasons beyond their control. “We are not regulars anywhere, though we have been in Chennai for nearly three years,” said Dasarath from Gorakhpur, Uttar Pradesh. “We stay with friends and do odd jobs. We are not directly under a contractor. We were running out of money,” he said. He and 10 others from Gorakhpur only want someone to take the group to the Uttar Pradesh border. “From there Yogiji [Chief Minister Yogi Adityanath] will take care of us,” he said.

They were staying with friends who had regular jobs. Soon after Lockdown 1, the regular jobs too vanished. In a matter of weeks, they had no food, no place to stay and were running out of money. Some paid rent for April too. Most of them decided to leave by May first week so that they can save on rent and will have some money left when they reach home.

While many migrant labourers said they were promised food and accommodation, none of these ever materialised. Some who received the food rations said they were not used to eating rice. The quality of rice was also not to their liking, one of them said, at Elavur, on the way to the Gummidipoondi toll gate.

WAITING FOR MIGRANTS’ RETURN

According to an estimate arrived at after speaking to those who run construction businesses, industries, particularly micro, small & medium enterprises (MSMEs), restaurants and hotels, transport and allied trades, there are 15 to 20 lakh migrant workers in the Chennai Metropolitan Area. As per government data, labourers from as many as 20 States work in Chennai and beyond, the majority of them from Bihar, Jharkhand, Uttar Pradesh, West Bengal, Odisha, Chhattisgarh, Madhya Pradesh, Uttarakhand, Assam and the north-eastern States.

It was towards the end of the second phase of the lockdown that the migrant labourer issue came into focus. The MSMEs in Ambattur and elsewhere pressed for a phased opening of their units as they were finding it difficult to retain labour. The government was sympathetic to their demands but added that labourers who wanted to go back to their home towns could do so.

A release on May 11 from the Tamilnadu Small and

Stranded on foreign soil

HUNDREDS of Indians, a large number of them Tamils, are stranded in the Gulf and East Asian countries because of the inordinate delay in bringing them back home. Most of them, labourers, housemaids and taxi drivers, have been languishing in quarantine camps and “open stay spaces” in several countries since the pandemic shut the world down. Among the stranded are tourists and students too. They blamed the Indian government for its reluctance to operate flights to Tamil Nadu, which has three international airports, in Chennai, Tiruchi and Madurai, and pointed to the lack of coordination between the Tamil Nadu government and the Ministries of External Affairs and Civil Aviation in this regard.

“While the Indian government is operating flights to many countries across the globe to fly home people of various States, it is not listening to the grievances of Tamil expatriates and tourists stranded in countries like Kuwait, Qatar, Saudi Arabia, Malaysia and Abu Dhabi. Many of them have spent all their money on food and shelter in the past two months. Many tourists have return flight tickets too,” said the Tamil Nadu-based activist H. Ubaidullah, who has been trying to speed things up for Indians stranded abroad.

Ubaidullah told *Frontline* that a few persons from Tamil Nadu working in Dubai, Kuwait, Malaysia and Oman had been brought back in the first phase of the Indian government’s Vande Bharat mission. “Many more are waiting to be repatriated from these countries besides Saudi Arabia, Bahrain and Qatar. Sadly, the Indian government is not operating any flight to Tamil Nadu during the second phase of the mission scheduled for May 17 to June 4. It has scheduled 240 flights to 32 countries, but none for Tamil Nadu,” he said. The Kerala government, he noted, was coordinating well with the Centre for the return of its people who are among the largest bloc of expatriates in the Gulf.

The national carriers Air India and Air India Express have so far repatriated over 15,000 Indian citizens from 12 countries on 64 flights. Naval ships have brought back people from Male. Still, around 1,90,000 Indians are stranded in various countries; of them 34 per cent are students, 30 per cent are migrant workers. The rest are tourists, businessmen, those who face medical emergencies, and pregnant women. Indian students are stuck even in Kazakhstan.

Activists say Kuwait alone has more than 15,000 Indians, mostly Tamils, waiting to be repatriated. The Kuwait government has sanctioned a general amnesty to its migrant labourers whose work visas had expired



ARUN SANKAR/AFP

AT ANNA International Airport in Chennai on May 9, health officials check the documents of an Indian citizen evacuated from Dubai by Air India.

and for illegal migrants. It has permitted them to re-enter the country once the crisis is over on new visas. Besides such people, there are many on business visas, exit visas, and some others wanting to return for medical emergencies. But the Indian embassy, it was claimed, was delaying the issuance of emergency exit passports for early repatriation.

Nearly 7,000 people, who had valid travel documents, have been under quarantine for nearly a month now. “They include tourists and among them are pregnant women, babies and the aged,” said M.H. Jawaharullah, president, Manithaneya Makkal Katchi, who has sent a series of representations to the Tamil Nadu and Central governments.

Reportedly, Kuwait was even willing to transport the stranded people to their destinations free of cost provided the Indian government gave the necessary clearance. “The Kuwait government is humane and considerate. We need just coordination and cooperation from the Indian side. The Tamil Nadu Chief Minister must take up this issue seriously,” said a domestic help, a native of Pudukottai district in Tamil Nadu waiting to return home, in a video from the camp.

B. Mohammed Ali Rashadi, president, Dar Al Sabah Welfare Association, Kuwait, in a mail to the Indian Ambassador said as summer was advancing, it would be difficult for immigrants to live in open and quarantine camps. “They have no money and food and shelter. Many are sick and go without medicines. All must be repatriated as early as possible,” he said.

A.B. Khaleel Ahmed Baaqave, general secretary of the Kuwait Tamil Islamic Committee, in a memorandum to External Affairs Minister S. Jaishankar, pointed out the extreme difficulties Tamils faced in Kuwait. “Special flights should be organised to fly home all

Indians from Kuwait,” he said. In Abu Dhabi, many from Tamil Nadu who have registered for repatriation with the embassy have been waiting in quarantine for over 51 days. Those in Bangladesh, the Philippines, Singapore and Malaysia also face similar problems. Many are stuck in European countries too. In neighbouring Sri Lanka, there are nearly 2,000 Tamils waiting to be airlifted home.

Anwar Iburahim, 47, hails from Ilayankudi in Tamil Nadu and is a diabetic. In his mail to the Indian High Commissioner in Malaysia, where he is stranded, he said he was among a group of people who had gone to Malaysia to attend a wedding. They have been waiting for two months to fly to India. H. Sajahan Hussain from Chennai, a first-time visitor to Malaysia on a tourist visa, has been waiting since March 9.

A senior official in the government who handles issues dealing with expatriates said the State had been collecting details about expatriates in various countries and forwarding them to the Centre, which alone could take a call on this. “It is a massive exercise with logistical problems involving both inland transportation of migrants and overseas repatriation. The Tamil Nadu government has to make quarantine facilities since the inflow to the State would be in hundreds. Those who can pay will be accommodated in hotels while others will be housed in government facilities for the mandated 14-day quarantine period,” he said.

The Commissionerate of Rehabilitation and Welfare of Non Resident Tamils has made it clear that the registration process is to ascertain the stranded passengers’ non-resident Tamil status in order to make arrangements for quarantine facilities. Ubaidullah suggested that as Chennai was a hotspot, the airports at Tiruchi and Madurai should be used for landing operations.

Ilangoan Rajasekaran

Tiny Industries Association illustrates the extent of the problem: “Industry was depending upon the migrant labourers...almost 90 per cent of the migrant workers have gone back. Even after lifting the lockdown, it will be very difficult to restart the industries without migrant labourers.”

The release further says that it is not “justifiable” to pay full salary to people who has “not worked for even a single day”, and wants the government to “pave the way” to bring back the migrant labourers. The organisation wants the government to establish “workers’ hostels in all industrial estates and industrial clusters”. Pointing to the “sweeping” labour law changes in some States, it wants Tamil Nadu to follow suit. “Unless the rules are relaxed, it will be impossible to revive the industries.”

Even as industry bodies were pushing the government on ‘reforms’, the exodus from Tamil Nadu continued. “I offered them double the wages they had been paid,” a construction bigwig said. “But all they wanted to do was to go home. I am not sure how to begin work in the near future,” he said.

In districts, it was left to individual District Collectors and Superintendents of Police to convince labourers to stay. This was not easy. Many wanted to escape from their employers, as seen in examples of labourers sneaking away from a Tiruppur factory, and also another set being caught in transit in a container truck.

In one instance, labourers heading in a container truck to Kerala were apprehended in Tiruppur and taken to a local relief centre. After it was brought to the notice of the Collector, Vijayakarhikeyan, on May 15, he verified it and noticed that 10 were from Madhya Pradesh and four from Bihar. The migrant workers were accommodated in “shramik special” trains that were operated from that part of Tamil Nadu.

Like the rest of India, Tamil Nadu too has no complete enumeration of the labourers in the State. The government has never really considered them part of the State’s fabric despite the fact that they play a major part in keeping the economy going and keeping manufacturing costs down in the State.

The bungling at all levels—the lack of accommodation and subsistence allowance and the inadequacy of train services—is partly because of the State’s inability to react quickly given the current state of COVID-19 related fatigue in the administration, insufficient data on workers and the technical expertise to handle a long-drawn-out problem.

What Tamil Nadu needs to do is summed up in the International Labour Organisation’s April 7 message on “COVID-19 and the world of work. Second edition”: “No matter where in the world or in which sector, the crisis is having a dramatic impact on the world’s workforce. Policy responses need to focus on providing immediate relief to workers and enterprises in order to protect livelihoods and economically viable businesses, particularly in hard-hit sectors and developing countries, thus ensuring the conditions for a prompt, job-rich recovery once the pandemic is under control.” □

Feeling the pinch

The farming sector in Punjab is the first to **take the hit** as lakhs of migrant workers head home, but industry and construction are not far behind. BY **ZIYA US SALAM**

AS THE VAST MAJORITY OF PUNJAB'S 10 LAKH migrant labourers prepare to leave for their hometowns and villages by the Shramik special trains, the State stares at an all-around economic crisis. From cycle manufacturers to cotton mills and agricultural farms, the shortage of skilled and unskilled labour threatens to make itself felt everywhere.

With the paddy-sowing season coming up in early June, the farming sector will be the first to feel the impact. Though mechanisation has begun in the sector, sowing is still largely a labour-intensive operation. The sowing season officially begins on June 20 but is likely to be advanced to June 10 this year. Some farmers unions want it to be advanced to June 1, given the absence of migrant labourers in the rural market.

With migrant labourers gone, local labourers are asking for higher wages. Until last year, the rate was Rs.3,000 to Rs.3,500 an acre for sowing, and as low as Rs.2,700 in some places. This year there are demands for Rs.5,500 and even Rs.6,000 for the same work. This threatens to produce a snowballing effect on procurement prices, with the chain reaction finally going out to retail markets across the country. With the departure of migrant labour, the peasant is not in a position to strike a hard bargain with the inadequate number of skilled farmhands available. Already, there are reports of tension between peasants and labourers in many districts.

Tara Singh Sandhu is a farmer in Moga district's Bhinder village; he is also the general secretary of the Punjab Pradesh Congress Committee. He said: "Punjab is looking at a twofold problem. The paddy-sowing will be much more expensive.... The other factor is psychological. All migrant labourers want to go home, even those who were being looked after well. After the pandemic, everyone wants to go back to his village or town. We are looking at both a psychological and an economic problem. In the circumstances, what is the guarantee they will come back after the lockdown is lifted?"

Incidentally, nearly 90 per cent of the migrant labour

force in Punjab comes from eastern Uttar Pradesh and Bihar, while the rest hail from Jharkhand and Uttarakhand. Sandhu said: "People do not realise it now, but in the days to come things will be grim. When cycle manufacturers open their factories, there will be no technically skilled labourers available. Local workers never learnt the technical expertise of making small parts. If migrant labour is not there, the economy will suffer a severe loss. Already, the rates of electricity in the State are much higher than in neighbouring Himachal Pradesh."

Sandhu said that migrant labourers were more industrious. "They worked longer as they stayed at the farm itself. Local workers do not work in the same way. In short, it is crisis time." According to one estimation, while four migrant labourers between them are able to sow an acre of paddy, it takes six local labourers to do the same work.

Shingara Singh of the Bharatiya Kisan Union, how-

ever, felt that no matter what the magnitude of the problem, the crisis could be resolved if informed decisions were made taking ground realities into account. He said: "Punjab's economy is largely dependent on migrant labour. So, undeniably, there is a problem. As the paddy-sowing season begins, we must understand that paddy is sown in a little more than 24 lakh hectares. Another six lakh hectares will be used for *basmati*. But that will come in July. At the moment, we are looking to resolve the issue of sowing paddy from early June. We need more than three-and-a-half crore workers for sowing in the entire period. If we had that kind of workforce, sowing could have been done in a day, but Punjab has only 15 lakh rural labourers. They will take about a month to sow the crop.

"If the Punjab government starts the sowing season early, it will help. The official sowing season starts on June 20 and if a farmer sows earlier than that, the fields are demolished, tractors are run over them. So peasants are dependent on the government for official permission. This year, keeping in mind the changed circumstances, the sowing should begin June 1.

"While things seem difficult, we can take heart from our recent experience. When the lockdown began, it was said harvesting the wheat crop would be practically impossible. Some said, the crop would not be harvested and nor would it reach the mandis. But the famed Punjabi spirit prevailed. All worked out well. Whatever problem we faced was from the government, not from the labourers.

"Initially, the government had allowed each farmer to bring only one trolley of wheat a day to the mandi. But that was a decision taken in air-conditioned offices by people who had no idea of the ground reality. Finally, they relented and allowed the farmers to bring the entire

produce in a day. We are hopeful of repeating it with the paddy season. We need to take decisions based on the ground reality."

Jagroop Singh, State general secretary of the Communist Party of India, said, "Social media is agog with the problems of migrant labourers. People are saying paddy-farming faces a challenge. But let's be realistic. The Punjab labourer is not getting employment anywhere. So, he is easily available. Also, I believe that with this challenge comes an opportunity to transform paddy-sowing into a mechanised activity. I believe that this year some 25 per cent of the fields will be sowed through mechanised measures. Enough machines are not available. People are running for machines thinking labour will not be available for sowing."

Machines may solve the problem for some farmers, but to the vast majority of farmers, sowing seems an uphill task this season. Jagroop Singh said: "Meetings are taking place everywhere. The kisan unions have asked for Rs.5,500 an acre. But it is difficult to predict the final rate in the prevailing circumstances. I personally foresee much greater use of mechanised sowing this season, though it has its detractors who claim it is not the same as a seed sowed by hand."

Incidentally, Punjab is trying to gradually move away from water-guzzling paddy cultivation. The government encourages the cultivation of cotton, maize and *basmati*.

That is in the long term. In the short term, the economics of paddy farming may be the first casualty of the prolonged lockdown and the consequent labour exodus. It will not be the only one for sure. There are reports of more than four lakh labourers from construction sites and brick kilns preparing to take the train home. Effectively, that spells an end to construction activity in the immediate future after the lockdown is lifted. The manufacturing units of Ludhiana are next in line to feel the crunch. Dependence on local workers with better bargaining power will push up wage bills and hence production costs at a time when manufacturers hit by the economic downturn are looking to cut costs.

In this conflict of interest, the administration has had to step in to broker peace. There have even been attempts to retain at least some of the migrant labourers. Recently, Sangrur's Deputy Commissioner Ghanshyam Thori conducted a video conference with organisations working in the interest of small and medium industrial units of Sangrur. He asked them to accommodate as many migrant labourers as possible in factory units.

The Sangrur move, however, was too little, too late. As more than eight lakh migrants had registered to leave Punjab for Bihar and Uttar Pradesh by May 4, their respective State governments had to ask the Punjab government to go slow. As for paddy-sowing, the fate of the crop may well be decided by the bargain struck at panchayat meetings in the days to come. □

Bill to 'corporatise' farming in Punjab: page 97.



RAJESH KUMAR SINGH/AP

MIGRANT WORKERS from Punjab wait to be screened after getting off a train at Fatehpur in Uttar Pradesh.

Capital unconcern

Migrant workers **feel cheated** by the way the capital city has treated them during the crisis and continue to head back home in the hope that they would not have to return. BY DIVYA TRIVEDI

WHEN THE THIRD PHASE OF THE LOCKDOWN ended on May 17, lakhs of migrant workers stranded in Delhi continued to be out of work, penniless and starving. Despite tall promises by the Prime Minister and the Chief Minister, their condition was precarious.

Under the midday sun in May, *Frontline* followed a group of migrant workers on the old Grand Trunk Road as they kept walking undeterred by the heat or the hopelessness of their situation. They stopped for a few moments of rest on a flyover where there was no stick-wielding policeman to chase them. Removing their weary burdens from their heads, they quenched their thirst from plastic bottles. After some initial hesitation, the women in the group opened up.

They were all from Jhansi in Uttar Pradesh, and this was their second attempt at leaving Delhi on foot. Twice they had been turned away from the State border by the police. The factory in North West Delhi where they worked as construction workers had stopped giving them food. They had run out of money, and their only hope of survival was to somehow reach their village. Did they know the route? “No, but we are asking along the way,” said a woman, clutching a pair of yellow gloves in her hand. Did they know of trains that had started operating from Delhi? “We have heard something like that, but the cops chased us away from the railway station,” she said, adding that none of them had a smartphone to make the bookings. Just then, a train rumbled over the tracks under the flyover, and they all paused to look at it. But then they quickly snapped out of their reverie and, perching their bags on their heads, resumed walking.

While Shramik special trains have begun to ply, the tickets cost money and not all migrant workers possess smartphones that are needed to book tickets. Besides, a medical certificate and other clearances from both the home State and the host State are required for a seat on the train. The process is cumbersome and many prefer to walk. A volunteer who works with migrant workers said: “If they had the money to buy tickets, they would have stayed on in Delhi and bought food with that money. Many have borrowed from village panchayats and relatives to buy tickets.” Workers from States such as Bengal

know neither Hindi nor English and find it hard to follow government communications. As a result, lakhs of migrants continue to walk back home despite exhortations by governments to stay put.

There were 38 lakh migrant labourers in Delhi, according to the government’s assessment. On May 18, the first day of lockdown 4.0, *Frontline* caught up with migrants who had managed to get seats on a train going to Ballia in Uttar Pradesh. Ravinder Kumar of Jaunpur, who worked as a welder in Tughlakabad, was furious with the government and his employer. He had reached the designated screening point in a South Delhi government school with his family, including a three-year-old child, in a hired auto rickshaw. Asked how the family had survived for the past two months, he said “How do you think?” before looking away.

Many of the migrants standing in queue to get screened before buses took them to the railway station looked completely dejected. Some had to go further ahead to places in Bihar. But they were keen on getting out of Delhi. Once in Ballia, they would look for other modes of transport.

SHELTER HOMES

Chief Minister Arvind Kejriwal and his officials assured migrants a place in government schools that were converted into shelter homes. But the condition of these centres was not always good. A volunteer who went to the Yamuna Sports Complex shelter home was traumatised by what he saw there. On the condition of anonymity, he told *Frontline*: “It was less of a shelter home and more of a prison. Roll call was being taken every day and no one was allowed to step out. People were scared, and a woman told me that they were subjected to lathi charge from time to time to keep them in line. The *daal-chawal* distributed in the name of food was not great and the toilets were in bad condition. There was a woman there who was nine months pregnant. Some of them cried out to us that they simply wanted to go home. The police and civil defence volunteers are treating these shelters as lock-up centres.”

He said that detention in a shelter home could be psychologically damaging. “The government must think beyond providing two meals a day and engage them in



AT A CONTAINMENT FACILITY without basic amenities in Delhi.

some activity or relief work,” he said. Some of the shelters had school principals as caretakers and they had no idea how to run the place.

Some of the people locked in shelter homes actually had homes in Delhi but were mistakenly swept up by the Delhi Police two months ago when they were out on errands. Despite alerting the authorities about their situation, there was no mechanism to send them back home.

On May 1, over a month after the lockdown was announced on March 24, the Aam Aadmi Party (AAP) government promised ration kits to Delhi’s 72 lakh ration card holders. The volunteer explained why this was too little too late for many people: “One has to register online through a smartphone for the ration. Many migrants who applied for it left after they did not receive anything for weeks. Another man, who had placed a request a month ago, received it only now.” The State government set up several food relief centres, but the planning was flawed and the demand often overran supply.

Reaching the food centres was a challenge in itself, with policemen harassing groups of people on the way. It was especially challenging for Muslim residents, for whom the holy month of Ramzan had begun. A huge chunk of Delhi’s migratory as well as local population in need of relief was Muslim, said a volunteer who worked with a cross section of the needy in the Capital. Following the violence in North East Delhi in late February and the police harassment that came in its wake, Muslims were shaken and wary. People were scared to approach the police, who were carrying out most of the relief and administrative work in Delhi, especially in “red zones” where essential services could only be accessed through the police. Muslim residents were hesitant to invite policemen to their doorsteps. In parts of North East Delhi, the police continued to arrest scores of young men on charges of rioting even during the lockdown.

As the government fumbled to put systems in place in the face of the COVID-19 crisis, non-governmental organisations (NGOs) and civil society members, many of

whom had never been involved with social service before, rose to the occasion and supplied rations to the needy. Structures created by organisations after the North East Delhi violence continued with relief work in other places.

Speaking to *Frontline* over the phone, a volunteer said that many people wanted to go back home but did not know how. Those who had stayed back for the first 21 days of the lockdown decided to head back to their villages when employers did not pay them their wages and landlords started to demand rent. “Either the government should send them back or open the industries so they can earn and pay rent. Only then will the situation improve,” she said. She pointed out that people would have to fall back on government processes once civil society resources dried up.

As Delhi entered the fourth phase of lockdown, Kejriwal announced the opening of all offices and industries. While this might bring some respite to labour, the fact is that most of the migrant workers still wanted to go back to their villages. Many of the volunteers *Frontline* spoke to said migrant workers were disillusioned and felt let down by the city, though they knew that they would eventually be forced to return to it. One volunteer said: “The workers left the villages in the first place because systems had collapsed there. They are going home because they have no option left, but there is no rosy picture awaiting them back in their villages.”

As some offices and industries start functioning again, there are fears of a spurt in infections. The numbers continued to rise in Delhi (10,054 cases as of May 17). There were also reports of under-reporting of COVID-19 fatalities by the Delhi government. While the official number of deaths was 160, the count from funerals and cremations of confirmed and suspected COVID19 patients added up to more than 400, according to some reports. The Delhi government’s decision not to test dead bodies for the infection made no scientific sense. The protocol of testing, tracing and isolating individuals is, as of now, the only way of defeating the coronavirus. □

Losing the plot

The Uttar Pradesh government's self-congratulatory announcements turn out to be premature as **accidents and controversies** involving returning migrants rock the State. BY **VENKITESH RAMAKRISHNAN**

THE UTTAR PRADESH GOVERNMENT'S periodic media briefings on the COVID-19 situation in the State, conducted mostly by senior officials and occasionally by Chief Minister Yogi Adityanath, have been self-congratulatory. The following are typical samples from the briefings during the first three phases of the lockdown. "Uttar Pradesh has certainly become a model in combating COVID on account of its methodical planning and leadership as well as efficient systems and implementation." "We have done so well in spite of having a huge population." "Uttar Pradesh has the distinction of arranging for the maximum number of trains from other States to bring back our people." Developments in the last two days of lockdown 3.0 and the first few days of lockdown 4.0 blew this attitude to smithereens and exposed the deficiencies in the State government's planning and execution of relief operations.

Twenty-seven migrant workers, bound for destinations in eastern Uttar Pradesh, Bihar, Jharkhand and West Bengal, died in a collision between two trucks at Mihauli village in the south-western district of Auraiya on May 16. The early morning accident involved a stationary trolley truck and a moving larger DCM truck. The vehicles had migrant labourers travelling home from Rajasthan and Delhi respectively. They had pooled in resources to hire the trucks in order to go home.

This incident gave the lie to the State government's claim that it had been able to stop the reverse migration by migrant workers and that proper transportation and other facilities were being provided to workers passing through the State. Opposition leaders such as Samajwadi Party (S.P.) president Akhilesh Yadav, Bahujan Samaj Party (BSP) chief Mayawati and Congress general secretary Priyanka Gandhi called attention to the flaws in the government's strategy. It was not long before more accidents involving migrant labourers got reported from other parts of the State.

Two days after the Auraiya accident, three women

were killed and seven people injured in Mahoba district of Bundhelkhand region after the mini truck in which they were travelling overturned. The passengers had started out on foot from Delhi, but the truck driver had offered them a lift on the way. On the same day, a van carrying 22 migrant workers overturned on the Lucknow-Agra Expressway at Unnao in central Uttar Pradesh; two people were killed and 20 injured.

Former Chief Minister Akhilesh Yadav said that these deaths were tantamount to murder. "The long lockdown was enforced to make sure that people's movements could be regulated and streamlined, but the accidents series clearly shows that the administration has miserably failed in living up to this task," he said.

Yogi Adityanath responded to the accidents by taking

punitive action, including suspensions, against police officers and holding them responsible for unauthorised travel of people during the lockdown. He also ordered intensive patrolling on all major routes in the State, especially the highways.

There followed reports of police forcibly taking down migrant labourers travelling in trucks and other vehicles and transferring them to buses brought in by the administration. This happened in different parts of the State but predominantly in western Uttar Pradesh, the primary entry point to the State for people coming in from Delhi, Haryana, Punjab and Rajasthan. There was an outcry over this because the passengers were forced to pay up the bus fare. In Agra, Mathura and Kanpur there were impromptu agitations. Angry migrants told the media that many of the truck drivers were transporting people as a humanitarian gesture and were taking only the cost of the fuel from them. They pointed out that while the truck drivers showed compassion the administration was behaving heartlessly.

At Farah on the Agra-Mathura highway, the protests led to traffic jams lasting for several hours. Here, the complaint was that even if the labourers offered to pay there were not enough buses. Local media reports said that thousands of labourers forcibly evacuated from the trucks were stranded on the highway without adequate food, water and other amenities.

The Auraiya accident was not done and dusted either. A couple of days after the accident, it transpired that the survivors, some whom had serious injuries, were being transported in trucks which also carried the bodies of the deceased. According to local media at Auraiya, as many

as 11 bodies were put in a single truck with 20 survivors. There were protests in Uttar Pradesh and Jharkhand (the State for which many of the bodies were headed). Relatives of the deceased questioned the Adityanath government's inability to organise ambulances to transport the dead.

The Jharkhand government called the action of the Auraiya authorities "inhuman". Chief Minister Hemant Soren said in a statement: "The sending of dead bodies in trucks is inhuman and lacks empathy. I request the U.P. and Bihar CMs to send the bodies in better condition till Jharkhand where the district administration and police will take care of the injured and give dignity to the deceased."

Amid this all-round outrage and criticism, Yogi Adityanath's administration announced that 200 special buses to transport migrant workers would be deployed in all border districts. The Chief Minister's Office (CMO) claimed that at the close of lockdown 3.0 as many as 7.60 lakh migrant workers returned to Uttar Pradesh in 590 trains. Most of the trains came from Gujarat (275), followed by Maharashtra (140), Punjab (101), Rajasthan (17), Delhi (6) and Karnataka (20). The CMO also asked people not to venture out on foot, bikes and trucks and said that the government was making arrangements for everybody. "Show some patience, we shall come and get you back" was the refrain from CMO officials.

There was some political drama, too, when Priyanka Gandhi wrote to Adityanath saying that her party had arranged 1,000 buses to transport migrant labourers and that these buses should be given permission to ply. After initially rejecting the proposal as "playing politics", Adityanath allowed the buses to operate. However, later the CMO said that the Congress had not arranged as many buses as it had promised and that many of the vehicles were two wheelers.

Uttar Pradesh has also seen a spike in COVID-19 positive cases. Health department officials said the weekly case register seven days before the conclusion of lockdown 3.0 recorded a significant rise. As many as 703 cases were reported in the first four days of May alone. Health department officials attributed the spurt to the influx of returning migrants and increased testing. Amit Mohan Prasad, Principal Secretary (Health), said that whereas just around 250 samples were being tested daily a month ago, the State's daily testing capacity crossed 6,000 on May 18. As of May 18, Uttar Pradesh had 4,605 recorded cases and 2,783 people had been discharged from hospital. The mortality rate in the State is 2.56 per cent.

A major concern for the authorities is the shifting of the outbreak epicentres. The pandemic is showing signs of easing in the five most affected districts—Agra, Meerut, Kanpur Nagar, Lucknow and Noida—which had nearly 44 per cent of the cases. Saharanpur, Firozabad, Ghaziabad, Moradabad, Varanasi, Hapur, Bulandshar, Aligarh, Rampur, Sambhal, Basti, Rae Bareilly and Mathura are the new hotspots. □



AT THE ACCIDENT SITE in Auraiya district where 27 people died in a collision between two trucks on May 16.

Squandered gains

After winning praise for its early initiatives, Rajasthan has had to contend with a **burst of COVID cases**, errant private hospitals, spread of infection to new districts, attacks on Dalits, and, of course, sending stranded migrants home while preparing to receive those returning to the State. BY T.K. RAJALAKSHMI

ON MAY 11, THE CONGRESS GOVERNMENT IN Rajasthan issued an order reiterating the one it had issued on April 30. The order warned private hospitals, nursing homes and clinics located outside containment zones not to deny outpatient, inpatient and emergency services. It directed hospitals to follow prescribed protocols and take precautions to avoid coronavirus infection. All patients and their attenders were advised to wear masks while the hospitals were instructed to disinfect and fumigate procedure rooms, labour rooms and the operation theatre. The hospitals could not refuse to test or treat people with symptoms for COVID or those suffering from flu and influenza-like illnesses. The government warned that action would be taken against the hospital managements if they were found denying treatment and care. The latest order pointed out that the government's previous order was not being followed. Rajasthan has 56 hospitals dedicated to COVID treatment of which 21 are private health care providers.

The Ashok Gehlot government came in for a lot of praise for the manner in which it had "contained" the spread of the virus in Bhilwara, an industrial township. But its handling of migrants and its inability to crack down on the strong network of private hospitals have been significant drawbacks. As in Haryana, the initiatives taken by some individuals, some political parties and citizens were proving to be crucial in mitigating the plight of the migrant population.

Rajasthan went in for a complete lockdown on March 22, three days before the nationwide lockdown began. This was because the earliest coronavirus cases in north India were reported from the State as early as March 14. Jaipur reported three cases. As of May 19, there were 5,629 confirmed cases of which 2,271 were active. The number of deaths stood at 139, the sixth highest after Maharashtra, Gujarat, Madhya Pradesh, West Bengal and Delhi.

MIGRANTS waiting to enter the Lalgah Junction station to board a special train to Gaya (Bihar), in Bikaner on May 20.

Rajasthan faces a big challenge as new cases are being reported from districts that had previously reported negligible number of cases. This is being attributed to the return of migrants from Tamil Nadu, Maharashtra, Gujarat, Madhya Pradesh and Delhi in the second week of May. Dungarpur, Pali, Nagaur, Churu and Udaipur reported an increase in cases. Sawai Madhopur, Hanumangarh, Karauli, Pratapgarh and Baran districts have fewer than 20 cases each. Bundi and Ganganagar have not reported a single case. Fresh cases were recorded in Sirohi and Jalore. The emergence of new cases in Jaisalmer and Dungarpur, which is tribal-dominated, has been a matter of concern.

Jaipur accounted for the highest caseload (28.87 per cent) followed by Jodhpur (19.03) Udaipur (7.3 per cent) Kota (5.88 per cent), Nagaur, Bharatpur and Bhilwara. Bhilwara, which had reported a cluster of cases before containment measures were adopted, now accounts for



only 1.42 per cent of the State's caseload. As a whole, Rajasthan accounts for 5.56 per cent of the national caseload.

On May 16, the Health Department reported that 125 prisoners, including the Superintendent of Jaipur district jail, tested positive. Reacting to this, a social activist said: "There is community transmission. How did the virus enter the highly secure jail unless someone from outside who was already infected brought it in. Clearly the norms of screening are not being followed."

Another issue that has caused concern is the spate of attacks on Dalits in Jodhpur, the home constituency of Chief Minister Ashok Gehlot. Sanjay Madhav, State joint secretary of the All India Kisan Sabha, said four cases in connection with murder of Dalits and violence against them were filed in four police stations in the district, but no inquiry was held. He said, "Even during the lockdown cases of atrocities are increasing. In one case, members of a Dalit family were beaten up by upper-caste men when they were returning from the police station after attempting to file a complaint against a sarpanch." Madhav is an office bearer of the Dalit Shoshan Mukti Manch. In another instance, a Dalit youth from Bedu village in Jodhpur, was illegally confined for 26 hours and beaten up by the station house officer at the Matauda police station. There is already some resentment in the community as the cases filed against Dalits during the Bharat Bandh on April 2, 2018, called to protest against the dilution of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, have not been withdrawn. The Gehlot government had promised to withdraw the cases in January 2019.

STRANDED MIGRANTS

Gehlot told a news agency that it would take months before the inbound and outbound migrants reached their destinations if they depended only on trains. The Centre

should arrange other vehicles to ferry them, he said. This was more in response to the Bharatiya Janata Party's criticism of Congress leader Rahul Gandhi's meeting with migrants as a "drama".

Sanjay Madhav said many migrants from West Bengal, Bihar and Jammu and Kashmir were stranded in Rajasthan without transportation. The government was not deploying State-owned buses to ferry them. "Four days ago [May 10], they came out in large numbers on the road demanding that they be either sent back or given food. The workers live in cramped accommodation and with no regular supply of food, so they were compelled to come out and protest. The government said the receiving States were not giving permission, but how is it that private buses are taking these workers by charging them exorbitant fares? The government should intervene. We have pointed out these things to them," he said.

A good number of students from Jammu and Kashmir were stuck at the National Institute of Medical Sciences, a private university. Even after the Union Territory gave permission for their transportation, the students were unable to find transport. Exorbitant amounts were demanded to arrange for their travel in a group. "Yousuf Tarigami, four-time legislator of the Communist Party of India (Marxist) from Kulgam in Jammu and Kashmir intervened and with his help we were able to help these youngsters," said Madhav. The helpline number 181, he said, was of no use in seeking assistance for stranded workers. Migrants continued their journey on foot on Agra road.

Farmers, too, were in a bad shape, he said. Grains were being procured at 30 per cent less than the minimum support price. Mohana Mandi in Jaipur, the biggest grain market in the State, was shut down following a COVID scare. Distress selling was the norm. The economic crisis for the urban working poor was worse. The government allowed push cart sellers and autorickshaw drivers to ply on select routes but did so in a pick-and-choose manner which created more problems.

"Barbers, cobblers, *paanwallahs* and rickshaw pullers have been pushed to the brink in these past two months. These are the self-employed, *aatmanirbhar* sections that have been managing on their own without any government help. And where people were employed, appeals of the Union government not to cut wages fell on deaf ears. A leading industrialist, heading an industry association, wrote to the government asking for permission to sack workers who were not coming to work," said Madhav.

As in the case of other States, Rajasthan, too, has suffered huge economic losses. The State's revenue from tourism is expected to decline sharply this winter. Gehlot recently ordered the setting up of online employment exchanges. The Congress leadership has been supportive of labour reforms, but first the government should help the working population that stayed back and the migrants who have returned so that they can get back on their feet. □

In denial mode

The State administration goes all-out to make sure that migrant workers are not seen on the roads but does little to **alleviate their suffering.** BY T.K. RAJALAKSHMI

ON MAY 17, A VIDEO OF SOME POLICEMEN beating and chasing away a group of people over agricultural fields went viral on social media. The area was identified as Bamboli village on the Yamuna river in Haryana's Yamunanagar district, a few kilometres from the Uttar Pradesh border. The video also showed slippers, bicycles and luggage discarded by the people who ran for cover. They were a group of migrant workers on their way home to Uttar Pradesh and Bihar from Punjab and Himachal Pradesh. They had reached Yamunanagar hoping to get on to the national highway at Bamboli for a 30-km trek home to Saharanpur in Uttar Pradesh.

These migrant workers had been made to stay in congested shelters located in schools and other government buildings. In chasing the migrants, the police were acting on the orders of the Union Home Ministry that no migrant worker should be seen on the roads. (Deputy Commissioners were to be held responsible if any migrant was even spotted on the road.) The administration in Haryana, as in a few other States, has had only one standard response in dealing with the spread of COVID-19— using force to quarantine migrants, wherever spotted, in congested shelters.

Sumit Pal Singh, an activist of Youth Swaraj, told *Frontline* from Yamunanagar that the governments of both Punjab and Haryana had done nothing by way of monetary and other relief to ensure that migrants did not have to head home on cycles or on foot. He added that every attempt was being made to prevent them from going back home. But the exodus would not stop.

When migrant workers realised that police presence would make crossing over to Saharanpur by road difficult, they tried crossing the Yamuna, which separates Haryana and Uttar Pradesh near Yamunanagar. Some used boats, while others waded through chest-high water. But the police soon got a whiff of this through the media. "The administration released water in those areas, making it difficult to cross over," Sumit Pal Singh said.

In the second week of May, 25 workers who had walked from Punjab somehow reached Moradabad in Uttar Pradesh, only to be dropped back at the Haryana



BY SPECIAL ARRANGEMENT

A DEMONSTRATION by CITU against the treatment meted out to migrant workers in Haryana.



BY SPECIAL ARRANGEMENT

ON THE MOVE in Haryana.

border. Later, the State government began to set up "U.P specific" centres for migrants working in Haryana, hoping that they would stay put. But there was no such "centre" for workers from Bihar.

Some factory owners have reportedly assured their workers that they will be paid and taken care of. With the labour-intensive paddy-sowing season approaching, large landowners have also persuaded farmhands to stay back. But in most other cases, there is no assurance of wage or even work. That is the reason why mostly factory workers, the majority of them from Bihar, are on the move. There is no scope for social distancing at the cramped centres where the migrants are compelled to stay amid unsanitary conditions. "But when they put them on buses they project that the norms of social distancing are being followed. What is the point of this? Workers have to wait for days in the centre for their turn to arrive in order to board the buses. The district administrations say that they cannot fill the buses to full capacity or even half as social distancing norms have to be followed," Sumit Pal Singh said.

Initially, the workers were shuttled between various "centres". The arrangements to provide food were outsourced to gurdwaras and charitable organisations. "How long will they do this? They are also running out of funds," Sumit Pal Singh said. Migrant workers were desperate to leave the centres and many of them attempted to do so in the night, under the cover of darkness. He narrated the case of a man who travelled by road in Nangal in Punjab accompanied by his wife, whose leg was in a cast, hoping to reach HarDOI in Uttar Pradesh.

The Yamunanagar incident was not an isolated one. Jai Bhagwan, State president of the Centre of Indian Trade Unions (CITU), said that workers were lathi-charged in Ambala, Sonapat and Karnal. In Yamunanagar there were close to one lakh workers, mostly migrants from Uttar Pradesh and Bihar, employed in the plywood industry, utensil manufacturing units and sugar mills. As the factories shut down, workers were left high and dry. As their savings having dried up, they had little option but to leave. "The government is somewhat sympathetic to the migrants from Uttar Pradesh but not to those from Bihar. Migrant workers, mostly from Bihar, who reached Rohtak from Hisar and Bhiwani in the hope of catching a train were sent back by the Rohtak administration," Jai Bhagwan said.

The Bihar Chief Minister had offered to pay for the expenses of the Bihari migrants, but his Haryana counterpart turned down it down. Clearly, the Bihar government was not very inclined to receive its migrants from Haryana. The Haryana government was also not too keen to send them back. After all, the workers will be needed again once the industries start working. But no one, neither employers nor the government, was willing to foot the bill.

Some eight lakh workers, a large proportion of them from Bihar but also those belonging to other States such as Rajasthan and Jammu and Kashmir,

had registered online for permission to leave for their hometowns. Some 1,60,000 workers, mostly from Uttar Pradesh, were sent. "During the lockdown, workers were not getting paid, nor were they allowed to go back to their villages. We insisted that the work in the brick kilns should not be stopped as there was social distancing there in any case. The brick kiln workers were in a fix as they were condemned to stay at the kilns without any pay. After we intervened, work has resumed in the kilns and now they are getting paid as well," Jai Bhagwan said.

There is no clear assessment of the relief provided by the government because movements are restricted under the lockdown. But people involved in relief work told *Frontline* that the government's presence was next to negligible. Surinder Pal Singh, a social activist based in Pinjore near Panchkula, said that a school converted into a shelter home for 200 slum-dwellers near his house was being entirely run with people's support. "I called the 'incident commander' of the pocket, a designation used for persons appointed by the government to oversee COVID19-related issues. He told me to manage the situation on my own. The government has money. They have collected from people's salaries and the Red Cross too," he said. In Karnal, too, civil society was helping out with relief work, he said.

Migrant workers also have to deal with red-tapism. A group reached Baghpat in Uttar Pradesh, only to be sent back to Haryana where they were asked to apply online. Surinder Pal Singh said: "The workers have no slippers on their feet, and here we have governments telling them to apply online and wait for their turn. If this is not cruelty, then what is?"

The total number of deaths caused by COVID-19 in Haryana is 14, which is relatively low. The recovery rate is 61.75 per cent. But the number of samples tested for which results are awaited is quite high. According to the State COVID-19 bulletin, a total of 78,029 samples, including those of 17 Italian nationals, had been sent for testing, as of May 14, and results for 4,625 samples were pending. Nearly 72,494 had been found negative. There were only 334 active COVID-19 patients.

The reported cases have been confined to a few districts, mostly the ones adjoining the national capital—Gurugram, Faridabad, Sonapat and Jhajjar. Of the 43 dedicated COVID hospitals in the State, 31 are in the private sector. The number of ventilators in the government-run facilities and medical colleges, including the All India Institute of Medical Sciences at Jhajjar, is slightly higher than in the private hospitals. Of the 181 COVID health centres, 121 are run by private hospitals or private medical colleges and only 63 are in government-run facilities. The number of ventilators and oxygen-support facilities in the private centres far outnumber those in the government ones.

As *Frontline* had earlier pointed out, quoting health-care workers, people are not being encouraged to get tested. There are issues of stigmatisation and fears about the spread of the disease. □

Community clout

Early surveillance, testing and people's participation has kept the virus under check but the State's health infrastructure is expected to come **under strain** with the return of lakhs of migrants from other States.

BY PURNIMA S. TRIPATHI

ALTHOUGH BIHAR MANAGED TO CONTAIN the virulence of COVID-19 initially, thanks to the Nitish Kumar government's early surveillance and response, it is feared that the return of lakhs of migrant labourers from various parts of the country in late May may result in a spike in the number of infections. The exponential spread of the disease in the villages will put pressure on the State's already weak health infrastructure. According to rough estimates, over 8 per cent of the returnees have tested positive. Between May 4 and 14, when there was a sudden surge in the return of migrants, the State tested

4,275 samples, of which 320 were positive. Roughly 10,000 migrant workers are arriving daily on the Shramik special trains. According to a statement issued by Railway Minister Piyush Goyal, Nitish Kumar has agreed to run 50 special trains daily to bring back migrants.

On May 17, 560 migrants tested positive; the majority of them had returned from Delhi, Mumbai and Ahmedabad. So far, 7,40,819 migrant labourers have reached Bihar by 229 trains. According to government officials, over 29 lakh labourers registered themselves for

travelling back to the State. Since the number of cases was not very high in the initial stages of the outbreak, the government had time to put in place a working system. With the creation of quarantine facilities, procurement of testing kits and conversion of hospitals into designated COVID centres, the State is relatively well-equipped to deal with the crisis.

As on May 18, Bihar recorded 1,423 cases and nine deaths. In spite of the State's inadequate health infrastructure, 438 patients have recovered, making Bihar one of the States with a high rate of recovery.

Apparently, a proactive approach and early steps helped Bihar. According to Dr Sunil Kumar Singh, a medical practitioner who is also a senior functionary of the Janata Dal (United), Bihar is perhaps one of the few States that undertook door-to-door surveys at the very beginning and enforced a lockdown even before the Centre announced it. "Our door-to-door surveys allowed us to find out cases in the early stages. We were able to quarantine and treat them before it was too late. This resulted in the low mortality rate in the State, which can serve as a model for other States," he said.

The surveys revealed a low percentage of infection. In Nalanda district, for example, the survey found only 5 per cent of the population with symptoms. Of them, 440 were tested for coronavirus, but none of them tested positive.

In Begusarai district, 2.51 lakh people were found with cough, cold and fever-like symptoms; 300 people

were tested on the basis of their medical and travel history, but none of them was found to have contracted the virus.

"Out of three crore people surveyed, only about 1 per cent of the population was found symptomatic and the number of positive cases was lower," Sunil Kumar Singh said. But the situation could change drastically with the migrant labourers returning from the red zones.

He said: "Migrant labourers are taken to quarantine facilities immediately after they get off the trains. They are tested, and if needed, sent for treatment. Our monitoring mechanism is one of the best in India." What actually made the monitoring system effective is community participation. Villages residents were vigilant and if anybody managed to slip out of the quarantine facility, which was happening frequently in Bihar, they would bring them back. "This has resulted in containing the numbers," he said.

As for reports that the conditions in the quarantine centres were pathetic and resulted in people fleeing the place, Sunil Kumar Singh admitted that there could be some such cases. However, the government was taking immediate corrective measures to improve the situation. "No arrangement can be 100 per cent foolproof, especially in times like this. We are open to constructive criticism and if an alert media or a vigilant section of people bring shortcomings to our notice, we work on them to improve," he said.

The biggest worry for Bihar now, he said, was looking after the returning migrant labourers and providing them work so that they remained in the State. The government was evolving a two-pronged strategy in this regard. In the immediate term, many of these labourers have been employed under the Mahatma Gandhi National Rural Employment Guarantee Act. Skilled labourers are employed in suitable jobs. For example, they have been engaged in repairing/renovating or painting government buildings across the State. Even private offices have been instructed to get their building works done so that these people can be engaged in some productive work.

In the long term, the government is looking at reforming land and labour laws and formulating a new industrial policy. "Biharis are talented. If we give them a suitable environment they can transform the State. We are working on such a plan," Sunil Kumar Singh said.

The State's human resources are an asset, which is evident from the fact that Biharis have excelled in whatever work they are engaged in wherever they are. "This is not true only of migrant labourers, but even highly qualified professionals, technocrats and bureaucrats the world over are making us proud. When this asset is coming back to us, we might as well put a mechanism in place in order to retain them. This way we can transform the State in the next few years," he said.

In a State where caste and politics come into play, and with the Assembly elections due in a few months, it would be interesting to see how these ideas pan out. □



PACKED into a truck in Patna on May 19; [right] disembarking from a container truck at Mithapur in Patna on May 17.



RANJEET KUMAR

Migrants' ire

The Shivraj Singh Chouhan government seems to be **without a vision or plan** to contain the rising number of COVID cases or mitigate the sufferings of migrants. BY ANANDO BHAKTO

THE POLITICAL MACHINATIONS THAT unfolded in Madhya Pradesh in the second week of March, just as the coronavirus crisis began to set in, continues to constrain the State's battle against the pandemic. This perception is seconded by the Congress, which was unseated from power in the State on March 20. Expressing its concern over the alarming spread of COVID in Indore, the State's financial hub, the party believes that crucial time was lost as Chief Minister Shivraj Singh Chouhan ran a one-man show for nearly a month after assuming power on March 23.

As on May 18, the State recorded 4,977 positive cases and 248 deaths.

The chaotic scenes witnessed at Sendhwa, at the State's border with Maharashtra, on May 14—hungry and frustrated workers on a reverse migration went on the rampage over the administration's failure to make arrangements for food, shelter or transport—showed that the government did not have a plan or vision to deal with the crisis.

Shivraj Singh Chouhan assured the labourers that the government would arrange free transport, conduct medical check-up and provide food. The Congress was, however, convinced that the BJP government would not be able to deliver on these promises as the party was overwrought by factionalism, particularly after the entry of Jyotiraditya Scindia into its fold and his likely induction into the Union Cabinet. Political observers said the power Scindia might wield in the BJP's State unit left party satraps scrambling to safeguard their own interests rather than attending to the needs of the people.

Abbas Hafeez, Congress' spokesperson in the State, speaking to *Frontline*, said: "The BJP has been dealing with internal squabbles at a time when it ought to be on the front line in the battle against the coronavirus. They felled a democratically elected Congress government driven by their sheer lust for power, and then they were unable to appoint a Health Minister for a month. The

A HEALTH WORKER checking migrant labourers who arrived on a special train at Misrod railway station in Bhopal on May 2.

Health Department remained dysfunctional for the longest time amid the pandemic anywhere in the country, as the staffers were themselves infected. That in a nutshell speaks of the government's attitude."

The Gwalior-Chambal belt, where Congress candidates were elected hands down in the November-December 2018 Assembly election, has become leaderless after most of the party legislators resigned to support Scindia. Aryan Swadesh Sharma, a young leader from Gwalior and the party's spokesperson, said the region was paying the price for "the BJP's self-indulgent politics". "In Gwalior, the BJP had only one legislator—from Gwalior rural. The two other elected legislators from Gwalior were Scindia loyalists and they have resigned. In Morena, the Congress had won all the six Assembly seats, but now five of our legislators have resigned. The situation is no different in Bhind. The BJP's adventurism has left the Gwalior-Chambal region without its elected representatives. He claimed that government officials were largely missing from the scene and it was mostly Congress' ticket

aspirants like him who were at the forefront of relief work.

In Indore, senior Congress leader Aminul Suri said the BJP's "transfer spree" was the reason for the lack of health care preparedness. "After Shivraj Singh Chouhan came to power, the District Magistrate and the Senior Superintendent of Police [SSP] were replaced.

The continued sufferings of migrant workers returning to or passing through the central Indian State corroborate much of what Shivraj Singh Chouhan's critics are saying. The State has become a largely unattended hot-spot depicting the travails of migrant workers. On the morning of May 14, eight labourers died and 54 were injured when the truck in which they were travelling from Mumbai to Unnao in Uttar Pradesh was hit by a speeding bus at the bypass in Guna. On May 9, five migrant workers died when the truck ferrying them met with an accident on the highway in Narsinghpur district. On May 12, in an incident that swung the National Human Rights Commission (NHRC) into action, a woman worker, who along with her husband was walking from Nashik to Satna, gave birth to her child on the road. The local media reported that barely two hours after child birth, the couple continued to walk to cover the remaining 150 kilometres of their journey. The NHRC described the incident as "indignity to motherhood" and issued notices to both governments.

Abbas Hafeez said the Shivraj Singh Chouhan government was indifferent towards migrant workers. "No arrangements were in place for migrant labourers at Sendhwa, although the government was aware that they were moving in large numbers. They were made to sleep in the open at night. Neither food nor transport was arranged for them. The next day the labourers and their family members waited under the scorching sun for hours before their patience ran out," Hafeez said. The Chief Minister should resign, he said.

The virus cases are spiralling in the State. The death rate of Madhya Pradesh, at 5.9 per cent as on May 11, was higher than the national average of 3.24 per cent. What has set the alarm bells ringing is the fact that over 41 per cent of the 161 patients who died until May 3 did not have any co-morbidity. The Health Department, which submitted an analysis of the COVID deaths, stated in its findings that 30.77 per cent of the deaths were reported on the first day of hospitalisation whereas 68.69 per cent patients died within the first three days of hospitalisation.

The medical fraternity in the State has admitted that the late admission of patients was a cause for concern. Indore's Chief Medical and Health Officer, Pravin Jadia, recently told the media that "while the administration has launched a massive campaign for screening all the people, we are repeatedly making an appeal to people to immediately consult the Health Department on the numbers publicised in case they have any [COVID-19] symptoms..." As on May 18, Indore reported 2,565 cases and Bhopal 992 cases.

By the time the government appointed Narottam Mishra as Health Minister on April 21, the Health Department was already a shambles with over 100 officials and workers testing positive. The Department's lackadaisical attitude was demonstrated by the fact that most of its staffers who were infected were not front-line warriors but stationed within the supposedly safe premises of the Secretariat. Initially, Indian Administrative Service officers Pallavi Jain Govil and J. Vijay Kumar, who were managing the affairs of the Health Department, were blamed for this. They were accused of concealing the travel history of their family members but an internal inquiry has now absolved them of this charge. The inquiry concluded that the virus was carried into the department by an official in the rank of Deputy Director who had returned to Bhopal from Indore, the epicentre of the disease in the State.

The cash-starved State economy has been hit by the lockdown. The tax collection, both State goods and service tax (SGST) and integrated goods and service tax (IGST) put together, recorded poor returns. In April, the tax collection dropped by 85 per cent.

However, the Shivraj Singh Chouhan government has begun its pro-poor drill with an eye on the byelection to the 24 Assembly constituencies, 22 that fell vacant after Scindia loyalists resigned and two following the death of Congress and BJP legislators. The government is incentivising the poor and distributing sops to people, a feature of his previous stints in power, always done with electoral calculations. The Chief Minister recently credited Rs.451 crore into the accounts of more than 1,78,000 beneficiaries of the Pradhan Mantri Awas Yojana-Rural. Similarly, more than Rs.82 crore was transferred to the accounts of over 8,000 beneficiaries under the Pradhan Mantri Awas Yojana-Urban. He has reintroduced the Sambhal Yojana for unorganised workers, which was scrapped by the Kamal Nath government, and transferred Rs.41 crore to the beneficiaries. □



A. M. FARUQUI

An oasis of comfort

Chhattisgarh stands out among central Indian States for its **efficient handling** of the pandemic and its far-sightedness in dealing with lockdown-related problems. BY DIVYA TRIVEDI

AMONG CENTRAL INDIAN STATES RAVAGED by the novel coronavirus, Chhattisgarh is an outlier. Its low rate of infections—86 positive cases, 59 recoveries and no deaths so far—can in part be credited to its low population density (189 per square kilometre). Most States that have escaped the worst of the virus spread in India are the less populous ones. However, the State government's early intervention and its discerning approach in tackling lockdown-related issues too helped avert tragic outcomes.

The Bhupesh Baghel-led government took proactive steps in the initial days of the outbreak itself, with a tailored approach of testing, tracing and isolation. Going over and above the Indian Council of Medical Research (ICMR) guidelines, the State has apparently tested 933 per million population. Based on their travel history and symptoms, more than 77,000 people were quarantined. Chhattisgarh was one of the first States to identify community transmission of COVID in March end even as Central government functionaries were in denial.

For instance, a senior official in the Union Ministry of Health suggested a ban on the use of the term "community" in government communications to "avoid confusion". He insisted that there was only "local transmission" in the country and no community transmission.

Just before the nationwide lockdown was announced, Central agencies of the Enforcement Directorate and the Income Tax Department raided 25 locations of Baghel's top aides across Chhattisgarh. This was seen as an act of vindictiveness by the Bharatiya Janata Party-ruled Central government against the Congress government in the State.

EFFECTIVE RESPONSE

Baghel emerged unscathed from the raids and was praised for his effective tackling of the pandemic. In what was seen as an attempt to embarrass the Prime Minister for his secrecy in the use of the PM CARES Fund, Baghel shared the account of the Chief Minister's Relief Fund

publicly. "From March 24 to May 7, the total amount of Rs.56,04,38,815 has been received from various donors in the fund. Out of this, Rs.10,25,30,000 has been released to all districts of the State for the prevention of corona and assistance to the needy," he tweeted.

Baghel also blamed the Centre for failing to stop inbound flights to the country, which, he said, could have averted a spread of carriers to the community level. "The Union government should have stopped all international flights as early as possible and all inbound passengers should have been mandatorily quarantined. This could have prevented the spread of the virus," he said. Chhattisgarh put 2,100 foreign returnees under quarantine and tested 90 persons who had come back from the United Kingdom after many from there tested positive.

The rate of infection, after being low during three phases of the lockdown, began to rise steadily with migrants and other travellers returning to the State. For the fourth phase of the lockdown after May 17, the State government relaxed various norms, but continued with the imposition of Section 144 of the Code of Criminal

Procedure (CrPC), prohibiting the gathering of more than four people, across all its 28 districts until August 16 or further orders.

Chhattisgarh has a large migrant population—1.5 to 2 lakh people—that is stranded in other parts of the country at the moment. Many are in distress, having lost their jobs, incomes and accommodation, and are trying to make their way back home. Thousands who migrate seasonally to work in Telangana's chilli fields return in May to tend to their small farms in Bastar. But this year, they are stuck and will be unable to sow seeds for the next crop cycle.

Heart-rending stories like that of 12-year-old Jamalo Madkam, who died while walking back from Telangana, are rife. A couple, Krishna Sahu and Pramila, were mowed down by a speeding vehicle in Lucknow (Uttar Pradesh) when they were cycling back to Chhattisgarh. Their children, aged 3 and 4 years, survived the crash.

The infections in Chhattisgarh are bound to rise when the migrants return. While Baghel said that State borders should not be opened for non-essential travel even during the fourth phase of the lockdown, he requested the Centre to deploy 28 point-to-point trains for the safe return of migrant workers.

Mindful of the dangers of re-infection following the migrants' return, Baghel said, "Can we allow our own people to remain away from their homes for months?" but added that allowing migrants to walk miles without food, water and safety was a "worrysome and a wrong practice".

Based on projections by experts, the State is preparing for the worst case scenario where there might be 6,000 casualties, according to State Health Minister T.S. Singh Deo. In a bold decision, Chhattisgarh ordered the takeover of all private hospitals in the State to fight COVID-19, but within a few hours, rescinded it. Finally, only the Raipur Institute of Medical Sciences was taken over under the Chhattisgarh Epidemic Disease

COVID-19 Rules. Baghel is in favour of slowly reopening economic activities with adequate precaution. Even under the lockdown, the State had allowed farming while maintaining social distancing norms and the selling of harvested produce. This ensured adequate supply of vegetables and poultry in urban areas. The government also launched a web portal for home delivery of liquor in green zones of the State to avoid crowding at wine shops.

Employment under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) continued unhindered, which provided work to five lakh workers every day.

Baghel said the livelihood of over 62.5 lakh persons was dependent on the scheme, which made it essential that the work continued in this hour of crisis. He asked the Centre to allow payment of MGNREGA wages in the form of foodgrains. Self-help groups were encouraged to sell face masks, soaps and sanitisers.

Baghel has asked for a Rs.30,000-crore package from the Centre over three months to bring the State's economy back on track. The State government sanctioned 70 kg of rice for two months to below-poverty-line (BPL) families, besides free ration to all, even those who do not have a ration card, through the public distribution system for a month.

FOREST DWELLERS

While these measures provide temporary relief, for vulnerable communities residing in forests and not covered by welfare measures, the months following the lifting of the lockdown would be critical. Some forest rights groups have written to the Ministry of Tribal Affairs to support tribal and forest communities and provide them immediate relief, ensure the dissemination of information and awareness, provide health care and testing facilities in tribal areas, and support collection and sale of minor forest produce (MFP).

The State registered 1,549 first information reports, arrested 1,346 persons and seized 2,294 vehicles for violation of lockdown norms. While some say it is required in unprecedented times as these, some others believe that once the country limps back to normalcy on the back of a broken economy, thousands of people will be left to deal with the police and court procedures.

Reportedly, the Maoists too are in support of the government's lockdown and announced a unilateral ceasefire in April. In a statement circulated to the media, secretary of the Malkangiri Koraput Visakha Divisional Committee, Kailasam, said the Communist Party of India (Maoist), the People's Liberation Guerrilla Army (PLGA) and other organisations would desist from attacking security forces unless in retaliation. In handwritten notes pinned to trees in Visakhapatnam, Andhra Pradesh, the Maoists urged people to wash their hands regularly, maintain hygiene, wear masks, drink boiled water, avoid shaking hands and gathering in groups, keep distance from vulnerable groups like the elderly, and seek medical help if anyone had symptoms like cough and fever. □



Cashless and abandoned

The Jharkhand government gets **little help from the Centre** by way of funds even as thousands of returning migrants pour into the State.

BY PURNIMA S. TRIPATHI

THE CASH-STARVED JHARKHAND government, ruled by an alliance of the Jharkhand Mukti Morcha (JMM), the Congress and the Rashtriya Janata Dal (RJD), has been pleading with the Centre since the lockdown began to release funds. The Centre has so far ignored the requests, even for funds that rightfully belong to the State. The Centre owes Jharkhand roughly Rs.14,000 crore by way of goods and services tax (GST) dues, and thousands of crores are due to the State from coal companies and public sector units.

A close aide of Chief Minister Hemant Soren said: "Even as the Modi government makes tall claims about huge packages to the tune of Rs.20 lakh crore, Jharkhand is still waiting to receive even a single penny from the Centre. Even our own money has been withheld." About Finance Minister Nirmala Sitharaman's announcements of the so-called COVID package over five days recently, Vinod Pandey, JMM general secretary and spokesman, said: "Empty words, which only sound good. Nothing in reality. Let alone helping us with giving any aid, if the Centre only released our rightful dues we would be able to make ends meet."

He added that Hemant Soren had written several times to Modi in recent weeks explaining how he had inherited an empty coffer from the previous BJP government and how his government had been left penniless because the lockdown began only three months after his government took over. The Assembly had to be adjourned suddenly, without the Budget being passed. "If only our own money was paid, we would not have to beg the Centre for funds. But obviously, the Central government is more interested in doing politics than in helping States deal with the tragedy," he said.

Hemant Soren said: "We have written so many let-

RETURNING MIGRANT WORKERS wait at a shelter in Ranchi to board buses that will carry them home to their villages, on May 14.

ters, but not a single penny has come from the Centre. We are at a loss to understand why. Despite following all the ICMR [Indian Council of Medical Research] guidelines, and all instructions issued by the Centre from time to time, we are being treated in this step-motherly manner."

Pandey described as a "complete lie" in the case of Jharkhand Railway Minister Piyush Goyal's accusation of Jharkhand, Chhattisgarh, Rajasthan and Maharashtra

not "cooperating with the Centre in its corona fight". "We have followed each and every guideline issued by the ICMR and the Union Home Ministry. And that is one reason why we have been able to keep the infection under check," he said.

Jharkhand has indeed tackled the pandemic exceptionally well. As of May 17, there were only 217 cases in the State; 113 patients recovered and only died. "Even three deaths is unfortunate, but I would like to mention here that these three people suffered from co-morbidities such as cancer and brain tumor. The rate of recovery in Jharkhand is one of the best in India," Pandey said.

RETURNING MIGRANTS

Yet, the real challenge for the State begins now with thousands of migrant labourers returning home. With the State having given no-objection certificates (NOC) for 110 trains, many more are expected to arrive soon. Over 1,20,000 migrants have already arrived, and six lakh workers/students will arrive in the next few days. Many of the returning migrants may well be carrying the infection. As of May 18, 88 of the 217 affected people in the State were migrants. The problem will only aggravate as thousands more pour into the State.

Making arrangements for quarantining and testing for such huge numbers is the short-term challenge. The long-term one is to feed them and give them employment in due course. State government officials believe that many of the returning migrants will stay back in their

The real challenge begins now as thousands of migrant workers return home, and many of them may be carrying the virus.

villages even if the situation improves, given how harrowing the lockdown experience has been for them.

A senior government official said: "We have chalked out an elaborate action plan. Some of these workers will be given work under the MGNREGA [Mahatma Gandhi National Rural Employment Guarantee Act]. Those who are skilled or professionally qualified will be provided suitable employment. Our first and foremost responsibility is to give all these people work so that they stay back in the State even after the situation normalises."

He added that the Jharkhand government had drawn up a unique kitchen plan at the gram panchayat level. Called Mukhyamantri Didi Kitchen, these kitchens will provide freshly cooked food twice a day to anyone who is hungry. Similarly, at the police station level, too, cooked food is distributed to anyone who is needy. "Our midday meal programme has been shifted out of schools. The food is taken to the villages where all children, whether they go to school or not, are fed," he said.

During Hemant Soren's previous regime, the popular "daal-bhaat" scheme made available cooked rice and lentils at Rs.5 in the cities. The BJP government headed by Raghuraj Das dropped the scheme. Now the government has revived it, and the food is given out free for the time being. "We have ensured that nobody goes hungry," the officer said. *Frontline* verified the claim in random conversations with people in villages.

COMMUNAL ELEMENT

Keeping the communal element out of the COVID-19 battle is another challenge. The first cases had surfaced in Ranchi district's Hindpirhi area where a group of minority community members, including a foreign national, was found in a mosque. The BJP and outfits associated with it carried out a relentless campaign claiming that the disease had spread only because of Muslims. The ensuing communal tension threatened to engulf large parts of the State.

Pandey said: "Our fight [against communal polarisation] was difficult, and the Centre's attitude made it worse. The Central government started giving details of the patients according to their religion. This betrayed their real intent and agenda." According to Pandey, there were sporadic communal flare-ups across the State. "But we managed to quickly identify patients with Jamaat association, isolate them and treat them. We have now succeeded in bringing the situation under control," he said. □



Caught in politics

The Mamata Banerjee government seeks more time in accomplishing the **daunting task of bringing back lakhs of its migrants** from other States even as the COVID-19 numbers begin to climb. BY **SUHRID SANKAR CHATTOPADHYAY**

AS THE COVID-19 SITUATION IN WEST BENGAL turns grimmer by the day, the Trinamool Congress government is facing flak from the opposition and the Centre not only for its handling of the crisis but also for its alleged apathy to migrants stranded outside the State. The Centre and the West Bengal government have clashed over a fairly long list of issues ranging from lack of financial aid to the State to allegations of COVID data suppression by the State; the issue of migrants from Bengal is the latest point of conflict, with the Centre accusing the Mamata Banerjee government of not allowing enough Shramik Special trains to enter the State.

As the Centre and the State play out what appears to be a political game with an eye to the 2021 Assembly election, the deadly march of COVID-19 continues in West Bengal. On April 30, the number of people who expired from COVID-19 was 33 (72 deaths as of that date were recorded as co-morbidity deaths) and the number of active cases was 931. On May 18, the number of deaths increased to 250 (including the 72 co-morbidity deaths) and the number of confirmed cases jumped to 2,825, including 1,670 active cases. The State government has not announced co-morbidity deaths since April 30. However, the mortality rate in the State has come down from 12.8 per cent to 8.84 per cent and sample testing has picked up, standing at 93,570 as of May 18 as against 16,525 on May 1.

In this scenario, the issue of lakhs of migrant labourers of West Bengal stranded in different parts of the country, facing starvation, or embarking on hellish journeys by road has become a burning topic in the State. Chief Minister Mamata Banerjee herself said on May 18: "We now have three types of crises: COVID, the cyclone and migrants returning home." Even as migrants, including children, from all over the country were dying on the roads in their desperate attempts to reach home, Union Home Minister Amit Shah in a letter accused the West Bengal government of not cooperating with the Centre in bringing stranded migrants back to the State.

"Migrants from West Bengal are also eager to reach home. Central govt is facilitating but we are not getting expected support from W.B. State Government, which is

not allowing the trains to reach W.B.," Amit Shah wrote, triggering a fresh war of words between the Centre and the State. Reacting to the letter, Mamata Banerjee's nephew, Lok Sabha MP Abhishek Banerjee, posted on social media: "A HM failing to discharge his duties during this crisis speaks after weeks of silence, only to mislead people with bundle of lies! Ironically he's talking about the very ppl who've been literally left to fate by his own Govt. Mr @AmitShah, prove your fake allegations or apologise."

While this led to yet another conflict between the Centre and the State, it also seemed to jolt the State government out of its apparent inaction as it immediately announced a number of measures that it would be taking to bring back migrants. Although as early as March 26, Mamata Banerjee had written to 18 Chief Ministers asking them to take care of the migrants from Bengal in their States, as of May 6, only two trains from Rajasthan and Kerala, carrying 1,186 and 1,123 migrants respectively, had reached West Bengal. Soon after Amit Shah's letter, the Trinamool leadership announced that the State government had requisitioned eight trains to bring migrants back from different parts of the country. Mamata Banerjee also said on May 14 that her government had arranged for 105 special trains to bring back over 1.3 lakh migrant workers stranded in 12 States, and on May 18, it was announced that 120 more trains more would be requisitioned soon. As of May 18, 16 Shramik Specials have come to Bengal.

Explaining the difficulty of managing too many migrants arriving at the same time, Mamata Banerjee asked for some time. "How will it be possible to screen so many people and arrange for transport if all of them come at the same time? The State also needs to remain well. We are making a plan; give us time," she said. According to her, already around 2.5 to 3 lakh migrants have returned by rail and by road.

The State government also wrote to the Chairman of the Railway Board stating that "the entire cost of movement by special trains to West Bengal, of migrants of the State stranded in various parts of the country, shall be borne by the Government of West Bengal.... The trains



MIGRANTS who returned to West Bengal at Howrah station on May 17.

DEBASISH BHADURI/KOLKATA

may accordingly be run as per requisition made by Government of West Bengal."

The Centre's allegation has been that the State government has made too few "requisitions". Hours after Mamata Banerjee made her announcement about 105 trains to bring back 1.3 lakh migrants, Union Railway Minister Piyush Goyal said: "Instead of asking for 105 trains over 30 days, please give permission for 105 trains every day, and we will send all the migrant labourers from West Bengal who want to go back home."

According to senior Communist Party of India (Marxist) leader Sujan Chakraborty, the State needs at least 2,500 to 3,000 trains as there are around 30 to 40 lakh migrant workers stranded outside. "You have arranged for 105 trains, but what is the way in which the migrants will be able to know where to apply so that their names will appear on the list. They are moving around completely lost," Chakraborty told *Frontline*. The State government has appointed 12 nodal officers to facilitate the movement of migrants.

Through social media and other means, stranded labourers have been appealing to the State government to get them back home. Out of money and facing starvation, they are finally coming to the end of their tether. "We have come to the police station with the form to get us back home, but they are saying they have not received any word from you, and until you say so, we cannot go back. Why are you silent? Thousands are here waiting to go home. The workers from Odisha and Bihar, who have been with us, have all gone home.... We are all losing hope," a group of migrants stuck in Kerala appealed to Mamata Banerjee through a video message on social media.

Like migrants from other States, those from West Bengal have also started finding their own means of returning home, often at their own peril. Of 27 migrant workers who were killed in a road accident in Auraiya, Uttar Pradesh, on May 16, five were from Bengal: four from Purulia district and one from Uttar Dinajpur. The

same day, a worker from Murshidabad district was run over on the road in Gosainganj, also in Uttar Pradesh, while trying to hitch a ride back home.

While the State government arranged more than 1,000 buses for the last leg of the migrants' journey from the State's borders to their home towns and provided them with food, there were also allegations of harassment and indifference on the part of the administration. Talking to a local news channel, a group of migrants from Murshidabad district who claimed to have walked up to Nadia from Hyderabad (a distance of over 1,500 km), said: "In other States, there are arrangements to help us. We were given food and water. But we have received no help here." They even alleged that the West Bengal Police had fined them for violating the lockdown.

In an interesting development, in the face of growing criticism against the government's handling of the COVID-19 crisis, Mamata Banerjee transferred the Principal Secretary of the Health Department, Vivek Kumar. The transfer, which has been perceived in political circles as a desperate move to shift the blame from the government, came soon after Kumar's communication to the Centre on April 30 that brought to the fore discrepancies in the COVID-19 data provided by the State government. Kumar had stated that the total number of COVID-19 patients as of April 30 stood at 931, while on the same day Chief Secretary Rajiva Sinha said at a press conference that the number was 572. This caused the State government considerable embarrassment.

NURSES LEAVE BENGAL

Meanwhile, the State is facing another crisis in its fight against COVID-19 as a large number of nurses from different parts of the country working in Bengal have been quitting their jobs and going back home. As of May 16, more than 350 nurses, mostly from private hospitals, have left the State. "If this continues, it will cause a huge problem, particularly in the operations of private hospitals," said a high-level functionary of a private hospital chain in the city. □

Stretched resources

The rising number of COVID cases in Maharashtra, especially in Mumbai, is **straining the manpower and infrastructure resources** of the State. BY **LYLA BAVADAM**

MAHARASHTRA IS LEADING IN INDIA WITH some unenviable statistics. Nationwide it has the highest number of COVID-19 cases, with 33,000 positive cases and 1,198 deaths as of May 17. The day the fourth extension of the lockdown was announced, the State saw its highest spike in a day with 2,347 positive cases and 69 deaths. Mumbai, which is the worst hit within the State, reported a steep rise with 1,595 new cases that day. The city had been adding about a 1,000 cases a day until then. The increase has been attributed to the increase in the pace of testing. Mumbai's tally is 19,967 positive cases and 734 deaths as of May 18.

In an order dated May 17, Chief Secretary Ajoy Mehta invoked the provisions of the Epidemic Diseases Act,

1897, and the Disaster Management Act, 2005, to extend the lockdown in the State until May 31 midnight.

However, there are moves to give people some more breathing space, except in the red zones, and to revive the economy. It is understood that there is some disagreement within the ruling Maha Vikas Aghadi comprising the Shiv Sena, the Nationalist Congress Party and the Congress about how to do this. The NCP feels that economic revival needs to be the priority whereas Chief Minister Uddhav Thackeray of the Shiv Sena is keen on continuing with a strict lockdown for some more time.

The government has finally reached out to a severely overworked police force, especially that of the Mumbai Police. On May 18, the Maharashtra Police said 1,273



MIGRANT workers from Maharashtra who arrived at Suhagi town on their way to Allahabad in Uttar Pradesh on May 18.



EMMANUAL YOGINI

MUMBAI has added 1,000 more beds to its dedicated COVID health care centres on May 18.

personnel had tested positive for the virus and five had died. On May 13, the State asked the Centre for 20 companies of the Central Armed Police Forces (CAPF) to assist the State police. Home Minister Anil Deshmukh on Twitter video said that as the police needed rest before the Eid festival when "law and order has to be maintained" the State government had requested the Centre to deploy 20 companies (2,000 personnel) of the (CAPF).

The Bombay Electric Supply and Transport Company, better known as BEST, has been running skeleton services for those who have to travel to maintain essential services. But as in the case of the police force, there is a huge shortage of masks, gloves, sanitisers and personal protective equipment (PPE) for conductors and drivers. Eight on-duty staffers have died and one of the BEST unions has announced a strike.

The striking union had been in talks with the management, but when nothing was done they called a strike. Another union, controlled by the Shiv Sena, is unlikely to go on strike.

The city is feeling the backlash of migrant workers returning to their home States. Many who manned provision stores, bakeries and other essential services have left, resulting in the temporary closure of these establishments. The State government scrambled to try and stop them from leaving by giving permission to 65,000 industries in green and orange zones to resume operations.

Decentralising responsibility seems to be the new mantra. After Iqbal Singh Chahal, the new Commissioner of the Brihanmumbai Municipal Corporation (BMC), took over, one of his first acts was to assign eight senior Indian Administrative Service (IAS) officers to key posts and responsibilities. Decentralising is also seen in a new rule in which chairmen and secretaries of housing societies will be held responsible if any resident violates the containment period. They can be booked under Section 188 of the Indian Penal Code (causing danger to

human life, health or safety) and be jailed for a month or fined. The move is to try and take the burden off the police.

A dark cloud that hangs over the city's authorities is with regard to the inadequacy of medical institutional care for patients. The BMC has created three types of care facilities. Covid Care Centres, or CCC, are divided into CCC-1 and CCC-2. The former is for high-risk suspects, that is, people who may have been traced via contact tracing, and those who live in infected, crowded areas with no chance of physical distancing. They have access to 22,941 beds. The latter is for asymptomatic positive cases or those with typical symptoms but no sign of coronavirus; there are 34,329 beds for this section.

The second category is Dedicated Covid Health Centres, or DCHC, for moderately affected cases; they have about 10,000 beds. They will be observed so that they do not slip into the severely ill category. The severely ill have to go to a Dedicated Covid Hospital, or DCH, which is equipped with ventilators in ICUs. There are only 4,800 beds for this severe category. While the BMC says there are adequate beds for the first two categories it is the third category that is failing critical care patients. With more aggressive testing the numbers are bound to leap.

Recognising that critical care patients are its next immediate challenge, the BMC is working to increase the capacity in the DCH category. By the end of the month the corporation hopes to have about 3,000 more beds, though that too may be sparse. A BMC source said private hospitals need to participate more. Health Minister Rajesh Tope has asked private hospitals to reserve 60 per cent of their beds for coronavirus cases.

Tope also addressed the long-pending matter of vacant posts in the Public Health and Medical Education departments. Sixty six per cent of the posts in the Public Health Department and 41 per cent in the Medical Education Department were vacant. Tope said both would be filled within the month. □

Cavalier approach

The Gujarat government faces criticism for incompetence and mismanagement in handling the alarming COVID situation in the State. BY ANUPAMA KATAKAM

IN SPITE OF A CODE RED LOCKDOWN, Gujarat has not been able to arrest the rising number of COVID-19 cases. Ahmedabad, in particular, has close to 70 per cent of the cases. The general feeling is that the State government's cavalier attitude in the early days, as seen in the lack of contact tracing, the slow implementation of regulations, the violation of lockdown rules and poor governance in general, led to the situation getting out of hand.

As on May 18, according to the State government's COVID-19 tracker, there were 659 deaths and 11,379 cases. Nationwide, the State is second, after Maharashtra, in the number of positive cases and deaths. The death rate, at 5.68 per cent, is substantially higher than the national average of 3.02 per cent. Until May 18, Gujarat had tested 1,43,599 cases.

According to the Health Department, May saw a surge, with 350 cases being reported on an average every day compared with 143 cases a day in April. On May 16, as many as 700 vegetable vendors tested positive, leading to the highest single-day spike of 1,057 cases. The rate of doubling has increased to 11.9 days (national average is 13.9 days) from approximately six days in April.

High spread is recorded in wards that are thickly populated and have more than half of the families living in one-room tenements. Darshini Mahadevia, a professor at Ahmedabad University's School of Arts and Sciences, said if a large number of people were confined to such small areas, there was bound to be transmission. East Ahmedabad, which includes localities such as Narol, Naroda and Rakhial that house the poor, daily wagers and the minorities, reports a high number of cases every day. After Ahmedabad, Surat city has reported 1,094 positive cases and 54 deaths as of May 18. Vadodara comes third with 660 cases and 32 deaths.

Darshini Mahadevia believes that poor urban governance and lack of direction from the leadership are the fundamental reasons why the State has not been able to

control the crisis. The State wants every vendor to undergo a health check-up every week. With lakhs of vendors in the city and with the poor infrastructure that seems to be an impossible task.

The Central government has called the Ahmedabad situation "especially serious". On orders from the Ministry of Home Affairs, Dr Randeep Guleria, Director of the All India Institute of Medical Sciences (AIIMS) in New Delhi, visited the city in early May. While various reasons have been given for Ahmedabad's high numbers, Dr Guleria says he also believes the stigma attached to COVID-19 is a major cause for deaths and increasing number of positive cases. He told the media that some patients were scared of visiting hospitals or getting tested. "Several times, lives of patients with mild symptoms, getting low oxygen supply in blood, can be saved if they get proper oxygen supply following timely treatment. Low oxygen affects their heart and lungs, and this increases their chances of death. If they have symptoms which can be that of coronavirus, they should get tested, and be isolated, to save their life and also save their near and dear ones from getting affected," he said.

Rajendra Doshi, director, SAATH, a non-governmental organisation working with the urban poor in Ahmedabad, said the poor would remain the most affected. "The lockdown may have an effect on flattening the curve, but this is not the case in east Ahmedabad. Here the curve is only increasing and it is those people who need help the most. The current top-down coercive approach will not work over there. We have suggested to the government to create an environment where the community helps each other—convert small schools into quarantine centres, provide food locally, teach basic hygiene, discourage large gatherings, essentially start awareness campaigns," said Rajendra Doshi.

AGGRESSIVE MEASURES

In a bid to contain the spread, Chief Minister Vijay Rupani imposed an advanced lockdown in the State from May 7 to May 14, which included curfew and minimal movement. Even essential services such as medical shops had to adhere to short timings. The Ahmedabad Municipal Corporation (AMC) was asked to curtail the movement of delivery boys, vegetable vendors and other essential services workers, including public transport workers.

Rupani's latest announcement with regard to Ahmedabad says the government will carry out health check-ups and surveillance in 10 wards of the containment zones in the city within the next 15 days. A statement from the Chief Minister's office says that a team of officers "would regularly visit the containment zones so that people with common ailments also get treatment at home and rapid testing of COVID-19 suspects is done. Accordingly, a mobile medical van with a team of allopathic doctors, an AYUSH [Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homoeopathy] doctor, lab technicians, pharmacists and paramedical staff will be deployed at four points for two hours for the next 15 days. 40 mobiles vans have been commissioned for this purpose."

With approximately 80 per cent of its workforce involved in the informal sector, there are lakhs of migrants stranded across the State. It took close to two weeks for the government to get a grip on the situation and help them get back to their home States. Two incidents of violence were reported, from Surat and Rajkot, where migrants took to the streets in protest after they had no way to get back home even as they did not have access to food and shelter.

Although trains were organised, thousands could not find their way to the Collector's office in the curfew in order to file an application to return. A group of workers waited two weeks for a train to East Champaran in Bihar. In spite of filing every possible form and appealing to two police stations for help, the "token" that allows them to board a State transport bus to the railway station was hard to come by.

"The system has collapsed. We have tried everything, including calling the police station, but for some reason we cannot get that token," said Nasim Akhtar, one of the workers. "Every day we dip into our savings to buy food. Soon we will have no money to even buy the ticket. The Bharatiya Janata Party has been denying that migrants are paying for their tickets, but there is ample proof that money is being collected. It costs Rs.740 to board the bus and get on the train," he said.

Frontline spoke to a government officer who handles migrants' applications. "We are overworked on the migrant issue. Every day we start at 6 a.m. and end at midnight. There are lakhs of applications. We do not organise the train. We send the applications to their home State and only then a train is sent. Worse still, if the men are in containment zones, it is a risk to send them," he said. When told about how the workers were starving, he replied: "We are as helpless as them."

Darshini Mahadevia, who has researched on urban Gujarat, says population groups work in specific sectors in the State. For instance, construction workers are from Rajasthan, painters from Uttar Pradesh, and craftsman from Bihar. According to him, the exodus in the past few weeks has been because of uncertainty. The migrants do not trust the government and just want to go back to their villages. "If I have to die I might as well die in my village, is their feeling," Darshini Mahadevia said.

A businessman in Rajkot said "post the lockdown, labour is going to be the biggest issue. What will we manufacture without labour?"

Meanwhile, Chief Minister Rupani's detractors have accused him of incompetence and mismanagement. Rupani has reportedly been reprimanded by New Delhi for not being able to control the situation. The first two heads to roll in this connection were Ahmedabad Municipal Commissioner Vijay Nehra and Health Secretary Jayanti Ravi. Nehra, a popular officer, has been made Rural Commissioner whereas Ravi has been sidelined. Meanwhile, Rupani has said Lockdown 4.0 will be implemented in phases. The first measure will be to relax a few regulations outside containment zones. □



MIGRANT workers after the police detained them following a clash with security personnel, in Ahmedabad on May 18.

New worries

Kerala's measured approach to the pandemic and lockdown has yielded results. But it still has to **grapple with their huge economic impact** on its economy, which it feels the Centre's special financial relief package does little to alleviate. BY **R. KRISHNAKUMAR** IN THIRUVANANTHAPURAM

ALTHOUGH KERALA'S HANDLING OF THE coronavirus crisis continues to receive all-round praise, the State is on edge as it enters a tricky phase in its containment efforts, with the gradual easing of lockdown restrictions going hand in hand with the arrival of a large number of Keralites from COVID-19 hotspots abroad and from other States. There is another issue that nags the State in equal measure. This is the uncertain but huge impact of the pandemic and the lockdown on the local economy, which is yet to fully recover from a series of natural calamities: the Okhi cyclone in 2017 and the devastating floods in 2018 and 2019.

The State had held itself up bravely against these back-to-back calamities, but recovery was understandably still an ongoing process even as reports of the possibility of truant rains were once again clouding the horizon. Yet another worrying monsoon season is already round the corner.

According to State Finance Minister T.M. Thomas Isaac, Kerala will experience a revenue loss of nearly Rs.35,000 crore this year. As *Frontline* had reported earlier, in the State Planning Board's assessment, Kerala suffered a loss of Rs.29,000 crore as a result of the nationwide lockdown from March 24 to May 3.

The Gulati Institute of Finance and Taxation (GIFT), an autonomous institution under the State government, was tasked with a study on the economic and fiscal impact of COVID-19 on Kerala. Its report calculated the likely fall in the State's income on the basis of three assumptions. If it is assumed that things will get back to normal after 47 days of lockdown from April 1, the State will experience a revenue loss of Rs.79,300 crore; if the economy gets back to normalcy in three months, the revenue loss will be Rs.1,35,523 crore; but if it takes six months for things to get back to normal, a more likely prospect, the loss could be Rs.1,65,254 crore.

Despite the severe financial crunch, Kerala was the first State to announce an immediate livelihood package of Rs.20,000 crore and to ensure, among other things, provision of free food and accommodation, free rations



FINANCE MINISTER T.M. Thomas Isaac.

and community kitchens for all needy people, including thousands of "guest workers"; release of all welfare pensions, including arrears and disbursement of interest-free loans to members of the State's large Kudumbashree network, besides finding additional resources for its remarkable pandemic control measures.

By the beginning of May, the State was bitterly complaining that it was doing all this despite "zero income" and in the face of the Centre's continuing apathy in announcing a relief package or other much needed assistance to States.

RESPONSE TO THE CENTRE'S PACKAGE

Chief Minister Pinarayi Vijayan said on May 15 that Kerala's revenue and fiscal deficits would go up dramatically, with health and social sector expenditure rising exponentially. Just before that, the State government issued an ordinance to defer a portion of the salary of its employees equivalent to six days for each month from April 2020 to August 2020.

The government also indicated that more stringent cost-cutting measures might have to follow. It was, therefore, with some relief but a lot of caution that Kerala received the Centre's May 12 announce-

ment of a Rs.20 lakh crore special financial package.

The Chief Minister's immediate reaction was this: "The Centre has announced a package that helps the corporates and the private sector, whereas what Kerala needed was a package that strengthened the public health system. Anyway, Kerala plans to adopt an approach that will strengthen only the public sector. Banks are reluctant to lend money to the States. Kerala had to pay an interest of 9 per cent when it took a loan of Rs.6,000 crore. We are against the Central government introducing conditions while at last agreeing to the long-pending demand of the States to increase the borrowing limit to 5 per cent. Given the fact that the MSME [micro, small and medium enterprises] sector has played a major role in Kerala's growth in the recent past, the State will ensure that the Centre's announcement regarding the MSME sector is utilised in the best possible way in Kerala. [Kerala announced a special revival package of Rs.3,434 crore for the MSME sector on May 14.] Kerala also welcomes the Rs.40,000 crore package announced by the Central government in addition to the Rs.61,000 crore Central budgetary allocation for the MGNREGA [Mahatma Gandhi National Rural Employment Guarantee Act] programme."

While pointing out that Kerala expected a huge revenue loss of nearly Rs.35,000 crore this year, Isaac said that even if the State got the full benefit of the increase in borrowing limit to 5 per cent of the State's income, Kerala would only get an additional loan of Rs.18,087 crore. "It means that we can only make up for

half the estimated revenue loss through this," he said.

Kerala is, therefore, demanding that the Central government give the entire goods and services tax compensation due to the State and that it give the State assistance to raise its public health expenditure substantially.

Kerala is against the borrowings being tied to conditions, the Finance Minister said. "The borrowed amount is meant to be repaid by the State with interest. Therefore, it is only fair that the States should be allowed to spend the amount based on their own priorities. The conditions must be removed. Or there should be a discussion on the conditions that are being imposed. Kerala does not have any objection to the suggestions for one ration card for the nation or that ease of doing business should be improved. But in the name of ease of doing business, Kerala cannot take up the measures that the Centre has proposed now, which it feels totally destroys the public sector. The Centre is trying to make use of this crisis period as an opportunity to introduce such reforms. For instance, Kerala has been against the power sector reforms proposed by the Centre. But agreeing to the Centre's policy on this is a condition for getting the benefit of the raised borrowing limit. India is governed by people with different political outlooks. The Centre should, therefore, not put forward such things. Kerala will register its formal objection soon," he said.

Unlike other States, Kerala has already utilised a large share of its borrowing limit of 3.5 per cent of the State revenue because it wanted to ensure that the money reached needy pockets immediately after the lockdown.



INDIAN NATIONALS who were stranded in Jeddah, Saudi Arabia, arrive at Kochi International Airport on May 14 by an Air India flight as part of the Central government's "Vande Bharat Mission".

Out of a total of Rs.13,000 crore that it was eligible to borrow until the end of the year, Kerala has already borrowed Rs.9,000 crore. “But banks do not like to give loans during a financial crisis, and the State had to pay an interest of 9 per cent on Rs.6,000 crore it borrowed in the end. The Centre should instead allow the States to borrow directly from the RBI [Reserve Bank of India]. Only then can we ensure that the interest will be a just and fair one,” Isaac said.

The Finance Minister also pointed out that now when States were being allowed to take up to 5 per cent of their annual revenue as loans, the revenue of all governments, including the Centre, was coming down. Therefore, the State revenue as recorded in the Central Budget should be taken as the basis to decide the amount that could be borrowed. Isaac said even under these difficult times, Kerala was thinking of giving a second instalment of benefits/assistance to people to tide them over the lockdown crisis. So, revenue expenditure was only going to increase.

According to the GIFT study, Kerala’s economy will shrink by 10.13 per cent even if normalcy is restored within three months of the lockdown. If recovery takes six months, gross State domestic product growth will decline by -13.56 per cent. “This will be the sharpest recession after the formation of the State in 1956, and the State will have to cut down on expenditure,” Isaac said.

The government has constituted an expert committee headed by former Chief Secretary K.A. Abraham to conduct a study on the impact of COVID-19 and the lockdown in the context of the unprecedented slowdown in economic activities; the extreme loss or reduction in employment, income and output; the steep fall in demand for goods and services; and the severe shortfall in the State’s revenue. Another committee, headed by Sunil Mani, Director of the Centre for Development Studies, Thiruvananthapuram, is looking into possible measures to reduce costs in government.

WORRYING SIGNS

Meanwhile, just as Kerala was heaving a sigh of relief because the number of positive COVID-19 cases had come down to single digits, with even Kasargod, the district that had the largest number of cases being totally free of COVID-19 patients, warning bells have begun to ring once again.

The first stream of Keralites from other States began to arrive from May 4 through six designated checkposts, and the “Vande Bharat Mission” flights with expatriates started arriving from other countries, especially in the Gulf region, from May 7. By May 18, 55,086 people had arrived in Kerala by road, 3,467 through airports, 1,033 through the Kochi seaport (from Maldives) and 1,026 by train.

The Chief Minister openly expressed concern that the State’s successful fight against COVID-19 could all go haywire if people start arriving without following the proper procedures or without the necessary medical tests or documents and if there was laxity in surveillance

measures and in following the so-far effective norms of physical distancing and personal hygiene. From May 7 itself came the warning once again from the government about the rise in the number of positive cases, a majority of them among the returnees and their contacts.

The number of active cases in Kerala had risen to 130 by May 18, when 29 more people were confirmed as positive. Of the 29 new cases, 21 were people who had come from abroad, seven had returned from other States and one person, a health worker in Kannur, contracted the disease through contact. The number of active cases in Kasargod rose to 18 from zero, and Malappuram had the largest number of active cases: 26. On that date, 67,789 people were under observation, 473 of them in hospitals and 67,316 under home isolation. On May 18 alone, 127 persons were hospitalised.

Many worrying signs also began to be reported from several parts of the State. A truck driver who returned from Koyambedu market in Chennai caused a scare when he started another cycle of infection in Wayanad district. His close relatives and police and health personnel who had come into contact with the infected people, including a resident of a tribal hamlet, were among those affected. Around 300 police personnel had to be put under observation. A bakery owner in Idukki identified as COVID-19 positive in a sentinel survey conducted as part of community surveillance, and with an unknown source of infection, was found to have come in contact with hundreds of people. And on May 18, three people who knew they were COVID-19 positive managed to catch a flight from Abu Dhabi, enter the State and leave the Thiruvananthapuram airport for home undetected despite all the State’s precautionary measures to identify and send such people straight to hospitals.

But despite such disturbing trends, the State decided to ease the general restrictions even as the national lockdown was extended to May 31. The Chief Minister said, while announcing the easing of restrictions: “We cannot live under a lockdown for a long time. We now have a clear idea about how to tackle this pandemic. The disease is spread through contacts. If we can prevent such contacts, we can check the spread of the disease. That is why those coming from hotspots outside Kerala need to be examined and put under quarantine. We need to ensure that there is no laxity in this. The government will do whatever it can. But such surveillance is the responsibility of the people themselves. Our State is moving towards such an intervention. We are sure that even when we ease the restrictions, we will be able to contain the spread through such measures. It requires total cooperation from the people. They will also have to follow guidelines regarding good hygiene and physical distancing as they have done till now. Use of masks and sanitisers and forms of greeting without body contact have become popular, but we have to ensure that they continue to be observed. It is indeed a dangerous phase, but if we handle it the right way, we will be able to overcome this crisis without any danger.” □

Migrant misery

A spike in COVID cases does not take away from the fact that aggressive **contact tracing and quarantining helped** Karnataka contain the disease, but the manner in which it treated migrant workers will remain a blot on the administration's COVID response. BY VIKHAR AHMED SAYEED

KARNATAKA SAW ITS HIGHEST ONE-DAY spike in COVID-19 cases on May 19 (as of noon) when it recorded 127 cases. On May 18, 99 persons tested positive. With this, the State's cumulative tally of positive cases reached 1,373, with 40 deaths and 530 having recovered. Health officials stated that the number of cases had been increasing on a daily basis after inter-State travel was allowed. Of the 99 cases reported on May 18, 69 had returned from other States, a majority of them from Maharashtra. Among the 127 cases reported on May 19, 62 were from Mandya, all of them with travel history to Maharashtra.

Primary and Secondary Education Minister Suresh Kumar, who interacts with the media on issues relating to COVID-19, said: "People who are returning are being quarantined and tested. The increase in numbers in Karnataka is mainly due to these patients who are being monitored and treated at various COVID-designated hospitals."

Chief Minister B.S. Yediyurappa announced that as a precautionary measure people travelling from Tamil Nadu, Kerala, Maharashtra and Gujarat would not be allowed entry into Karnataka. The government was not taking chances with international returnees as well, who are being compulsorily quarantined in designated hotels.

In Bengaluru, which has the highest number of cases in the State, a cluster emerged in mid May in the containment zone of Shivajinagar where one person, identified as P-653, was said to have infected more than 50 people. This patient was working in a hotel where P-420, an employee of a private hospital who had come in contact with a COVID patient in the hospital, had been quarantined. This was the only case of the disease spreading significantly in a containment zone. Bruhat Bengaluru Mahanagara Palike (BBMP) officials were confident that the spread could be controlled.

One of the positive stories from Karnataka is that of Mysuru district. The district was declared a "red zone" by the Central government after a cluster of 90 cases emerged in Nanjangud in late March, and it is now



K. MURALI KUMAR

MIGRANTS from Odisha all set to leave in buses to board the Shramik special train in Bengaluru on May 16.

COVID-free. The last patient was treated and discharged on May 14.

Dr C.N. Manjunath, director of Sri Jayadeva Institute of Cardiovascular Sciences and Research and a member of the government's COVID-19 task force, said "early screening of international travellers" and "aggressive contact tracing and quarantining" worked for Karnataka. Admitting that statistically the rate of death was slightly higher in Karnataka when compared with other southern States, he said that "85 per cent of the deceased had significant co-morbidities, including cirrhosis and respiratory problems". "In Kalaburagi, the seven deaths occurred because the patients were taken to the hospital late," he said. He said testing had been scaled up in the State. By May 18, in all 1,51,663 samples had been tested; random sampling was done only in containment zones on vulnerable sections of the population such as senior citizens.

Dr Devi Shetty, chairman of Narayana Health and a member of the COVID-19 task force, said Karnataka "implemented the lockdown very strictly", which helped

in restricting the number of cases. He said that a “marginal rise in the number of cases is expected once the lockdown is relaxed and people return to the State”. Dr K.R. Anthony, former director, State Health Resource Centre, Chhattisgarh, said, “The slight surge in cases after the State’s border was opened is natural in an epidemic like this.”

NO COMMUNITY TRANSMISSION

Manjunath rejected the idea that Karnataka was witnessing the community spread of COVID-19. “If you notice, only travellers returning from red zone areas have the disease, and it is spreading only in containment zones in the State, whereas those coming from green zones or the unaffected zones are not testing positive. So, we can say that there is a sub-community level of transmission but I don’t think there is community transmission still.”

This is a contentious issue. Dr Srinivas Kakkilaya, a Mangaluru-based physician who follows issues of public health, said: “...to say that there is no community transmission is premature. There is certainly community transmission in Bengaluru and Kalaburagi.” The “biggest problem” is that the State is not “randomly testing large sections of the population to ascertain the level of community spread”.

With Karnataka allowing considerable relaxation of lockdown outside containment zones and inter-State and international travel opening up, there is bound to be a rise in the number of cases. This was expected as the lockdown was merely a measure to give governments time to prepare strategies to deal with the public health threat. In this situation, medical professionals are worried that the government has not thought ahead and there is no clarity on how it is going to protect vulnerable sections as the disease spreads.

Dr Anil Kumar Avulappa of Bagepalli in Chikkaballapur district who is associated with the People’s Health Movement, said, “The virus is in the community. We have to live with this forever now. The problem is that the government is not thinking about the at-risk population like senior citizens. The whole strategy has to change. The government has to massively increase the outreach of its health care services like Kerala, mobile clinics should be created, and village- and ward-level rapid task forces should be formed with volunteers. I am not seeing any of this as part of the government’s planning.”

Kakkilaya said, “the biggest problem is not coronavirus now but managing people who have been rendered homeless”, meaning the government should focus on recovery measures. “There is so much confusion. People are stuck outside the State and not being allowed to return. They are going to be mentally and physically wrecked because of this,” he said.

Vinay Sreenivasa, a lawyer working with the Alternative Law Forum in Bengaluru, expressed similar concerns. He said: “The entire governance around the pandemic was focussed on making things safer and easier for the middle class and the rich. No thought was given to how the poor would cope.”

Sreenivasa listed some factors to support his statement that the governance was anti-poor. These include the breakdown of the public health system in the State as hospitals had been taken over for COVID-19 treatment, leaving poorer sections of the population bereft of medical care; the Indira Canteens charging for meals; street vendors not being allowed to come out on the streets; agricultural markets being opened up to private players through an ordinance (on May 14) amending the Agricultural Produce Marketing Act; labourers not being given adequate rations; the proposed changes to the labour laws; and the dismantling of the public transport infrastructure in Bengaluru.

He said: “During the lockdown, we [an informal alliance of activists called Naavu Bharateeyaru] proposed to the Labour Department that community kitchens should be set up and handled by local residents but the civic body has paid more than Rs.7.5 crore to Akshaya Patra [a non-governmental organisation] for procurement of foodgrain kits.”

Yediyurappa announced a relief package in three tranches, of Rs.1,610 crore, Rs.162 crore and Rs.512 crore, to help a wide cross-section of the vulnerable population. The fact that domestic workers were not identified as “vulnerable” and offered relief under this package is worrying Geeta Menon, secretary, Domestic Workers Rights Union. “Since domestic work does not fall under the regular definition of labour, domestic workers fall through the cracks. A survey of around 8,000 domestic workers revealed that 87 per cent of them have not been paid their salary for April and have been asked to stay away in May and June. How are these people expected to survive without wages or any kind of compensation?” she asked. Another vulnerable section is migrant workers. While Bengaluru did not witness an exodus of migrant workers, there has been a steady trickle of workers from other metropolitan cities, who, frustrated with waiting for transportation facilities and depleting savings, have begun to walk or cycle back home to States as far away as Uttar Pradesh.

Krishna Byre Gowda, former Rural Development and Panchayati Raj Minister and senior Congress leader, met many of these migrant workers on Ballari road on the outskirts of Bengaluru. He told *Frontline* that three issues highlighted the callous attitude of the government towards the plight of migrant workers. First, during the first 15 days of the lockdown, no attention was paid to their condition; second, when buses were started for workers from north Karnataka to return to their homes, they were charged for their travel; and third, inter-State trains started for the benefit of these workers were cancelled by the Yediyurappa government because of pressure from the real estate lobby and only restarted after pressure from the opposition and civil society. “They have been absolutely insensitive to the plight of the workers. They are getting away with criminal negligence because of the benevolence of a large section of the news media which are not reporting these issues,” he said. □

COVER STORY

ODISHA

Sarpanchs as game changers

Odisha manages to keep COVID-19 well under control because of the **strong participation of panchayati raj institutions** and the community at the grass-roots level under the leadership of Chief Minister

Naveen Patnaik. BY PRAFULLA DAS

THE FEAR OF THE SPREAD OF COVID-19 HAS led the people to join hands with the Naveen Patnaik government in tackling the pandemic. The government, too, realised very early that the fight could not be won without participation of grass-roots leadership. Given the spread of the outbreak, it was impossible for the government machinery to depute officials in every village.

With dedicated teams of officials by his side, the Chief Minister, in a first of its kind exercise, involved the pan-

chayati raj institutions (PRI) in managing the situation as the number of positive cases kept increasing every day.

When Odia people returning to their villages from other States tested positive, Naveen Patnaik bestowed sarpanchs with the powers of a District Collector. Santilata Nayak, a woman sarpanch of Manitara gram panchayat under Buguda block in Ganjam district, even declared a shutdown in her panchayat to contain the spread of the virus. The sarpanchs of Madhupalli and Mandara in Polasara block in the same district followed



MIGRANT LABOURERS passing through Bhubaneswar city.

BISWARAJAN ROUT

suit. Since then the government has encouraged sarpanchs to take the lead in this fight. The Chief Minister said, "Sarpanchs have been working devotedly in the management of quarantine centres and other COVID care institutions."

He has also accorded front-line warrior status to sarpanchs for their dedication in managing and strengthening Odisha's fight against the pandemic at the grass-roots level and announced Rs.50 lakh compassionate assistance for family members if any sarpanch died in the pandemic.

Empowering sarpanchs is touted to be a game changer as far as handling the pandemic in rural Odisha is concerned. With limited financial power and limited administrative support at their disposal, sarpanchs are making a difference on the ground. "Community and PRI participation in COVID-19 management is the greatest achievement of Odisha," said Chief Secretary Asit Tripathy.

More than two months into the pandemic, no major public unrest was reported at quarantine centres. The returning migrant workers were put up in quarantine centres managed by sarpanchs, who were heading a 10-member team comprising panchayat executive officer, gram rozgar sevak and prominent villagers. A nodal officer worked as a link between the sarpanch and the Block Development Officer.

Odisha had remained untouched by coronavirus until March 15 until a youth who had returned from abroad tested positive. The number of cases kept rising with more and more returnees joining the list of infected persons. Naveen Patnaik, who had prepared the State machinery for the emerging crisis well in advance, kept adopting different strategies to contain the spread of the virus. He increased the number of temporary medical centres (TMCs) set up for quarantine of returnees at the panchayat level.

When thousands of Odia migrant workers started arriving from other States by trains, buses, boats, and other modes of transport and on foot, the number of TMCs in the 6,798 gram panchayats was increased to 15,642. The number of beds in these TMCs was increased from 3.3 lakh on May 5 to 6.82 lakh by May 18. Arrangements were also made for the stay of 32,524 persons in 415 quarantine centres in urban local bodies.

The Chief Minister directed the officials to pay special attention to the migration-prone districts of Ganjam, Balangir, Kendrapara, Bhadrak, Jajpur and Balasore. Instructions were issued for strict observance of physical distancing norms at quarantine centres and registration, testing and quarantine were made mandatory for workers returning from other States and overseas. Naveen Patnaik also directed officials to focus on restoration of livelihoods in the green zones by facilitating agricultural and industrial activities without any hindrance.

The situation, however, turned difficult since the first week of May with many returnees from Gujarat, West Bengal and other States testing positive. Ganjam, the Chief Minister's home district, recorded its first two cases



BISWANJAN ROUTH

on May 3 when the State had already detected more than 160 cases. But when the State's total number of positive cases was inching towards the 900 mark by the third week of May, Ganjam alone accounted for more than one-third of these cases.

Until Ganjam started reporting positive cases, most of the cases detected in Bhubaneswar city and the districts of Jajpur, Bhadrak, Balasore and Sundargarh were those with travel history to cities outside the State and those who had managed to return from neighbouring West Bengal during the initial weeks of the lockdown.

Since Ganjam emerged as a major hotspot, the State government deputed three Indian Administrative Service officers and five Odisha Administrative Service officials to assist the district administration. The district has 3,212 villages spread over 503 gram panchayats, apart from one Municipal Corporation, one municipality and 16 Notified Areas Councils. Apart from an exclusive COVID-19 hospital, the government set up four COVID care centres and more than 3,000 TMCs in the district.

Of the 876 positive cases in the State as of May 18, as many as 754 were returnees and 122 were from the local population. The detection and treatment were possible as the returnees were sent to quarantine centres, making it easy for the administration to collect samples for testing and shifting those testing positive to the 30-odd COVID-19 hospitals across the State.

As a result, there was no evidence to suggest that the community was affected by the virus. The infection was largely confined to TMCs and containment zones. No doctor or health care personnel was infected, barring a sarpanch in Ganjam.

In fact, the State's burden multiplied as the lockdown was extended. Initially, its task was to strengthen health care infrastructure to detect and treat COVID-19 cases and enforce the lockdown and ensure the well-being of

ON THE outskirts of Bhubaneswar, a group of migrants travelling to Jharkhand on May 13.

Odia people stranded in other States. Then it had to take measures such as booking trains and coordinating with the Centre and other State governments for the return of migrant workers who were losing patience due to the continued lockdown and large-scale infections in the cities they were in. Meeting the challenge posed by the people who returned to the State became its third major task.

The State government, meanwhile, extended the quarantine period from 14 days to 28 days—21 days at the quarantine facilities in rural areas and one week of home quarantine. For those returning to urban areas from other States and overseas, the period of isolation was extended from 14 to 28 days. Those having separate rooms and bathroom/toilet facilities were allowed to stay in home quarantine. The government issued a standard operating procedure for monitoring those in home quarantine in urban areas.

Along with the returnees, their family members were asked to be in quarantine for the specified period. A quarantine sticker was pasted at the entrance of the house and neighbours were intimated accordingly.

But better management of the TMCs remained the focus of the administration since the State was expecting more than five lakh people to return. Nearly two lakh Odias had returned to the State in three weeks from April 29. Keeping this in view, the government streamlined the functioning of the TMCs by improving the menu and adding facilities, including installation of invertors to cope with power failure. CCTV cameras were installed at the TMCs to monitor those leaving or visiting the premises.

In order to ensure strict implementation of quarant-

ine protocol during the fourth phase of lockdown, the administration declared all TMCs, COVID-19 care centres and hospitals as containment zones apart from those that would be declared in the aftermath of detection of new cases.

Afraid of possible community transmission, the local people kept the sarpanchs informed about anyone violating the quarantine protocol. People across the State followed "social distancing" and wore masks earning the appreciation of the government.

The administration set up more testing facilities to detect cases. Ten laboratories, including one in the private sector, were already running in different regions of the State. The State succeeded in testing more than 5,000 samples a day. A total of 96,000 samples had been tested by the third week of May.

Further, the State was in the process of creating testing facilities at several other government-run medical colleges at Koraput, Balangir, Balasore and Baripada to continue its fight against the pandemic. The aim was to increase its testing capacity to 15,000 samples a day.

The authorities are further strengthening the health care facilities apprehending that the number of cases would increase in the coming weeks in view of the arrival of more returnees. Apart from increasing the number of intensive care units and beds at the COVID-19 hospitals, the Chief Minister ordered the procurement of more ventilators.

The State was fully geared up to overcome the challenge posed by the pandemic with the active support of the people. "Odisha has been able to keep COVID-19 well under control because of the strong community motivation and participation under the leadership of Chief Minister Naveen Patnaik. Community is aware and alert and Odisha will win this fight soon," said Tripathy.

Everybody was hopeful of winning over COVID-19 since the State's recovery rate was impressive and its death rate was low. Of the 978 cases detected until May 19, as many 277 had recovered, including an 85-year-old woman and 20 children below the age of 14. Only five deaths were reported.

The State's policy towards COVID-19 patients as well as victims of lockdown has been based on a humanitarian approach. It had been striving to assist Odias stranded outside and helping workers from other States stranded in Odisha to return to their native places. The migrant workers passing through the State were provided food and transport facility up to the State borders.

As life was slowly returning to normal with the easing of lockdown restrictions, the formation of cyclone Amphan on the Bay Bengal meant that the government had to initiate its disaster-preparedness drill. The administration evacuated people from the coastal areas while complying with physical distancing norms.

Coastal district administrations were asked to shift quarantine centres situated within three kilometres of the coast. Odisha breathed easy only after Amphan changed its course and moved towards West Bengal and Bangladesh. □

Chennai a challenge

Despite a high rate of testing, Tamil Nadu gets **bogged down** in its efforts to contain the pandemic. BY **ILANGO VAN RAJASEKARAN**

IN CHENNAI CITY, WITH A POPULATION OF close to a crore and a density of around 26,553 people per sq km, the spread of COVID-19 was largely confined to manageable clusters until the flare-up of cases linked to the wholesale vegetable and fruit market in Koyambedu. As of May 20, the total number of positive cases in Chennai was 8,228, around 60 per cent of the 13,191 cases in Tamil Nadu. The number of cases in the State had breached the 10,000 mark on May 15 itself. As many as 5,882 persons have so far been discharged from hospitals, for a recovery rate of 44.60 per cent. The government can also draw solace from the fact that the death rate, with 87 deaths as on May 20, was at 0.65 per cent.

The swift spread of the virus is evident from the statistics the State Health Department and the Greater Chennai Corporation have been providing to the media on a day-to-day basis. Royapuram and Kodambakkam divisions in the city crossed 1,000 cases each, while many other divisions recorded over 500 cases. "The government is trying to close the stable door after the horses have been bolted," said a senior physician in a city hospital. That 44 pregnant women in a private hospital in Royapuram were tested positive was a clear indication that the disease had spread in the community.

COSTLY LAPSE

The government's COVID-19 strategists grossly misread the lurking danger from the Koyambedu market. Nearly 6,000 identifiable primary and secondary contacts were traced to it. It is an irony of sorts that when the entire State was under lockdown, the market remained open under the excuse of selling essential commodities, with thousands of people visiting it every day. Neither the Chennai Metropolitan Development Authority (CMDA) which manages the market infrastructure nor Chennai's civic body that is empowered to put in effective screening and sanitising mechanisms in the city carried out any concrete measures. Hundreds of traders, labourers and buyers roamed around the market, without any regulation and restriction.

That was a costly lapse. A senior Corporation official told *Frontline* that the origin of the infection at Koyambedu was from the crew of a vehicle that brought onions from Maharashtra. Though the source from Koy-



PTI

PREPARATIONS at the airport for a calibrated resumption of flights from May 25, in Chennai on May 21.

ambedu led to a spike in Chennai and other northern districts of Tamil Nadu, it did not make any discernible impact in the western, central and southern districts of the State, which have been doing extremely well under the guidance of the respective District Collectors.

Chief Minister Edappadi K. Palaniswami has appointed senior bureaucrat J. Radhakrishnan as special nodal officer for Chennai and other special officers for wards that have reported above 50 cases. Half of the total number of cases in the city have been reported from 34 wards. The Chief Minister blamed the traders in Koyambedu for their reluctance to heed the government's advice to "split and shift" the market elsewhere for better monitoring.

The State is now gearing up for yet another challenge when its citizens stranded in other States and abroad start returning.

With its back up against the wall, the government is using all the resources at its disposal to contain the spread of the virus. This includes ramping up the facilities at the three premier government hospitals in Chennai and other districts, besides the make-shift coronavirus care centres to treat around 7,000 patients. A postgraduate medic in one of the government hospitals told *Frontline* that the isolation wards were overflowing and testing centres were struggling to cope with the steady stream of

people who came in panic for testing. "Even positive cases are bunched first and later segregated as 'severe, moderate and mild' before being sent to designated centres. Many who tested positive but prefer to go to their houses for isolation are being allowed to do so," the intern said.

What happens in hospitals and coronavirus care centres too is a matter of concern. A journalist who went for testing had a harrowing time. He had to wait for nearly six hours to get into the hospital where "everyone seems to be a positive patient". "The doctors and paramedical staff such as nurses, technicians and pharmacists, besides other sanitary and health workers, looked tired. I was told they were working at a stretch for weeks together," he said. It is not a surprise that many doctors and medics, besides paramedical staff, had turned positive, putting pressure on the already overburdened health care system.

RATE OF TESTING

Health Minister C. Vijayabaskar has maintained that the State continues to do "high testing and proper clinical management". It is not far from the truth. Tamil Nadu's testing rate is the highest in the country, with 3.5 lakh tests carried out already, between 10,000 and 12,000 tests on average daily.

But the government's initial overemphasis on the "Tablighi Jamaat" cluster for nearly a month left its prevention strategy wanting. It remained preoccupied with travel-specific and cluster-specific infections, thus confining for long to tracing primary and secondary contacts and leaving out random community testing.

Another flaw in its prevention strategy was when, in March, the authorities just screened foreign nationals for temperature and asked them to quarantine voluntarily. A senior epidemiologist said that despite their pleas, the State did not test them.

PETITIONS IN COURT

An element of confusion and indecisiveness has plagued the government's decision-making and strategy-designing from the beginning in its fight against the virus. Every



B. JOTHI RAMALINGAM

GREATER Chennai Corporation officials checking the details of those who were associated with COVID-19 patients, at Ripon building in Chennai on May 16.

strategy and move had its share of controversies and indecisiveness, whether it was the direct bulk purchase of rapid testing kits from a Chinese firm or the non-availability of personal protective equipment (PPE) for front-line workers. This led to a serious erosion of the government's credibility. "As a result a series of PILs [public interest litigation petitions] are filed against the State mainly to ferret out the facts in the COVID-19 situation," said Chennai-based S. Jimraj Milton, a lawyer-cum-activist who has filed a PIL in the Madras High Court in this regard.

In his petition, Milton said that the State government had not taken comprehensive action as prescribed by the World Health Organisation (WHO) and the National Centre for Disease Control. He said that the measures the State had taken to tackle the pandemic were far from satisfactory. "Still the people are not aware about the current emergency situation," he said.

Justice N. Kirubakaran, while lauding the services of doctors and other paramedical staff, sanitary workers and policemen, asked the State to provide them all necessary protective equipment and subject them to periodical testing. The judge ruled that free medical assistance be provided.

Tamil Nadu government's Additional Secretary of Health and Family Welfare K.S. Selvakumar, as directed by the court, filed a status report on the State's handling of COVID-19 and its preparedness on May 13. In that he claimed that as on May 8, 17,757 PPE kits and 32,708 N-95 masks had been distributed to health care personnel.

With regard to doctors getting infected, he said that a few postgraduate students had tested positive for infection and the hostel they stayed was closed for a few days as per the containment policy of the Greater Chennai Corporation. He further claimed that as on May 8, the State had 2,19,377 PPE kits and 1,54,309 N-95 masks.

Milton said the status report did not contain sufficient data on the query relating to the frequency of distribution of such safety measures, types of equipment and the number of front-line workers who had suffered COVID-19 despite the supply of safety equipment to them. He pointed out that the government had filed a vague report on this vital issue of PPEs provided to front-line workers. "The status report does not disclose the truth about the risk faced by health care professionals while treating highly infected patients. If the PPE is of poor quality it will spoil the entire health care efforts," he said.

He told *Frontline* that doctors had said that they were not provided with quality and prescribed PPE kits. "This will not only cause high death rate but also create risk for doctors, nurses and other paramedical staff. The government's status report has also not disclosed how many persons have been given ventilator treatment. The present PPEs issued by them are not actual PPEs of WHO standard but only surgical aprons," he said. Milton has submitted his observations on the status report before the court. □

Viral politics

The administration's focus seems to be on optics even as it flounders in its response to the pandemic as reflected in the increase in the number of cases with every passing day. BY ANANDO BHAKTO

IN VIOLENCE-TORN KASHMIR, THE ABSENCE of a civilian government is more acutely felt than ever before as the number of coronavirus infections continues to spiral. The rank and file of the National Conference (N.C.) and the Peoples Democratic Party (PDP) have questioned the Lieutenant Governor Girish Chandra Murmu-led regime's response to the pandemic, alleging it lacks "specifics and direction" and relies largely on the creation of optics as is evident from the "relentless photoup drives" of A-listers officials and the "self-congratulatory chatter" on social media. The number of infected people in Jammu and Kashmir stood at 1,183 on May 17; as many as 13 people have succumbed to the disease.

The N.C.'s provincial spokesperson Imran Nabi Dar, who spoke to *Frontline*, was dismayed by the government's efforts to highlight relief distribution as its "major achievement". "I don't want to criticise the efforts of the administration at this time, but it is outrageous that a regular administrative exercise such as free distribution of rice is being touted on social media as a breakthrough. The bureaucracy and those who are managing the pandemic should refrain from capitalising on relief work to generate personal goodwill," Dar said.

The administration recently announced that 5 kg of rations would be given per person per BPL (below poverty line) household for the next three months under the Prime Minister's Garib Kalyan Ann Yojana. Political observers and political leaders converge in their criticism that there is no road map to upgrade Kashmir's crumbling health care sector. Dar urged the government to be "more accommodating of criticism". The general perception is that the Murmu administration is functioning with a select group of "regime favourites" and has walled itself off from suggestions and solutions that health care experts associated with past regimes would like to offer.

Waheed-ur-Rehman Para, youth president of the PDP, speaking to *Frontline* over phone from his house in Srinagar where he is under detention, said Srinagar was disproportionately burdened with handling the crisis as the health services in other districts were in dire straits. "The district hospital in Pulwama is dysfunctional. It has been relegated to [the status of] a quarantine centre.

Currently, six coronavirus patients are being treated in that facility. But what about the over four lakh population of Pulwama? Does the administration expect them to run to Srinagar in the event of an emergency?" Para asked. The coronavirus is swiftly spreading across north and south Kashmir: Srinagar and Anantnag have emerged as the hotspots with 157 and 177 cases respectively as of May 17.

Sources in the N.C. and the PDP alleged that the Murmu regime had sidelined the best brains in the health sector. A PDP source alleged that the administration was obsessed with "screening officials and bureaucrats on the basis of perceived political allegiance". The source claimed that at least 10 senior health care experts and bureaucrats who could have been instrumental in effective handling of the prevailing crisis had been undermined.

The administration has dismissed any notion of inaction on its part. It maintains it has significantly upgraded existing facilities, including testing facilities. According to officials, over 4,000 tests are being conducted every day now compared with the 1,000 a day in late April. On May 14 alone, 4,133 tests were conducted. Officials said that as of May 14, a total of 63,515 tests had been done, of



S. IRFAN/PTI

HEALTH OFFICIALS in Srinagar conducting swab tests for COVID-19 on May 16.



NISSAR AHMAD

JAMMU and Kashmir Police distributing rations and other essentials among the poor at Kothibagh police station in Srinagar on March 30.

which 983 returned positive and 62,532 were negative.

Jammu and Kashmir has also procured a sizeable number of viral transport medium (VTM) kits to ramp up testing. On May 15, Additional Resident Commissioner Niraj Kumar informed the media through his twitter handle that "30,000 VTMs land [on a military plane] in Srinagar. Outstanding job by our cargo team working round the clock."

But the PDP and the N.C. allege that the situation on the ground is worrisome. Imran Dar pointed out the lack of a region-specific financial package. "There are genuine needs that are not being met. Many people in rural areas do not have food and other essential supplies. They have been out of work for over 60 days and are now acutely short of cash. A decent, J&K-specific financial package ought to be announced for them," he said. Waheed-ur-Rehman Para pointed out that recently when 17 civilians were injured in Pulwama they had to be rushed to Srinagar for treatment. This, he said, was testimony to the administration's callousness.

Since the lockdown was announced on March 24, hundreds of Kashmiris, mostly students, have been stranded in various parts of India. On May 8, the Jammu and Kashmir Home Department issued a statement: "Train services are being arranged for stranded persons of J&K, particularly from far-off places. The government has decided to bear the cost of tickets; the returnees will not need to make any payments for their return journey by train."

In the next one week, the administration said it had evacuated 49,218 people by road via Lakhanpur and 7,264 by special trains running through Jammu and Udhampur. On May 14, a special train was arranged for Kashmiri students studying at Aligarh Muslim University. The AMU spokesperson Shafey Kidwai said: "The university requested authorities for a special train and the students were told to register themselves on the Jammu and Kashmir government portal a couple of days back and the permission came through on May 14 afternoon."

However, the death of a young asymptomatic person on May 7 has left people apprehensive of the returnees.

The 32-year-old victim was a resident of Alamgiri Bazar in Srinagar and had been attending to his father, who had been admitted to the oncology department of the super speciality hospital at Shireen Bagh, Srinagar. A 55-year-old woman who was a plastic surgery patient in that medical facility and her 19-year-old attendant had tested positive for coronavirus, and the deceased may have got infected through social contact.

DOCTORS TEST POSITIVE

On May 17, five doctors tested positive for the coronavirus: three of them are from the ENT department in Shri Maharaja Hari Singh Hospital, one is a dentist at the Government Dental College, Srinagar, and one an orthopaedic surgeon from SKIMS Medical College, Bemia. So far 13 doctors, three nurses and five health care workers have got infected with the virus. On May 16, 13 pregnant women from South Kashmir's Anantnag and Kulgam districts were found to be infected, according to the health department.

Meanwhile, the Kashmir Valley got no respite from the Supreme Court in the issue of restoration of high-speed Internet. The court showed its unwillingness to immediately mitigate the situation when it argued that national security and human rights interests must be balanced. It described the situation in the Kashmir Valley as not conducive to high-speed Internet restoration and said that as the Valley had been "plagued with militancy".

As the Supreme Court heard a related petition on May 11, it ruled that a special committee led by the Union Home Secretary would consider pleas for restoring 4G Internet services in Jammu and Kashmir. A section of the media described the court's decision as an abdication of judicial responsibility that empowered the executive to decide matters on its behalf. A bench comprising Justices N.V. Ramana, R. Subhash Reddy and B.R. Gavai said in their ruling: "...the fact that outside forces are trying to infiltrate the borders and destabilise the integrity of the nation, as well as cause incidents resulting in the death of innocent citizens and security forces every day cannot be ignored."

The continuing lockdown has taken a heavy toll on the Union Territory's economy, particularly its lucrative apple trade, which had already been affected following the abrogation of Jammu and Kashmir's special status on August 5 last year. As the situation in the Valley grew tense after August 5 and curfews exhausted the calendar year, several apple growers and businessmen stored the harvest in the hope that they would be able to sell it in spring at good prices and recover their losses. However, the coronavirus crisis has dashed their hopes. As per a rough estimation, there are 80,000 tonnes of apples lying in cold storage in the Kashmir Valley.

The cherry trade has also suffered a jolt. As per media reports, the cherry orchardists have tended over 2,713 hectares of crop, and the yield is expected to surpass the 11,000-tonne mark this year. The fruit traders have urged the government to allow all cart vendors in the Valley to sell their produce in open shops. □

Business as usual

The Centre feels **no urgency to recalibrate its policies** on Jammu and Kashmir or chart out a new course of action for the Valley as the violence continues unabated despite the lockdown. BY ANANDO BHAKTO

KASHMIR'S QUIET ANGER OVER THE MANY incursions of the Narendra Modi years on the erstwhile State has crystallised into an impatient unruliness in the aftermath of the killing of the Hizbul Mujahideen commander Riyaz Naikoo. At many places, protests and then police cordons, rights violations and the suspension of lines of communication have emerged as a persistent feature in Jammu and Kashmir reminiscent of the summer unrest of 2016, though milder in intensity as COVID-19 tightens its grip in the region.

The regime in New Delhi feels no urgency to recalibrate its policies or chart out a new course of action aimed at abating violence. The chaos and the body count of “Muslim combatants” limn the myth of strong leadership in predominantly Hindu India, thanks to a largely pliant national media that are loath to sensitise people on the real enablers and triggers for home-grown militancy or to question the Modi government over the wreck of mainstream politics in the Himalayan valley, the outcome of the Centre’s “wayward impulses” there.

The Modi government believes that extirpating violent actors from the field will extirpate militancy, but when one looks at the explosion of public outrage after two major encounters that followed in quick succession—the one involving Naikoo, on May 6 in Pulwama, and the one involving Junaid Sehrai, son of the pro-resistance leader Ashraf Sehrai, on May 19 in Srinagar—the fallacy of that belief is exposed.

After the Naikoo encounter in Beighpora village in South Kashmir, hundreds of civilians erupted on to the streets in anger, defying strict restrictions and overcoming their own fear of the pandemic. Scores of men and some police personnel were injured, and the administration was forced to suspend voice calling for the next two days. On May 7, as protests continued in Beighpora and adjoining areas, the security forces, according to the local people, opened fire with live ammunition at the sight of civilian protesters and shot dead a 32-year-old man identified as Jahangir Yousuf Wani.

This widespread sense of marginalisation is excluded from prime-time TV’s grating chatter on Kashmir, which is essentially all about nurturing and selling corrosive myths with the aim of stirring passion among India’s

masses and gaining their approval for the high-handed quelling of voices critical of the state. The real questions are not asked. Take, for example, the bulletins on Naikoo on the night of May 6. The following questions ought to have been asked: Why did an unassuming mathematics teacher embrace violence? Why do an increasing number of youths who are neither impoverished nor uneducated become hardened militants? If hard-fisted policies have led to a boost in militancy, why does New Delhi not explore a more resourceful approach, especially when dialogue and reconciliation, which former Prime Minister Atal Bihari Vajpayee gave primacy to, yielded so many positives? Is there an agenda behind perpetuating the crisis and is it linked to electoral politics?

The first two questions could be addressed if TV stations operating from Noida’s Film City did not shun the likes of Ghulam Hassan Shah. He is an assistant sub-inspector with the Jammu and Kashmir Police and uncle of 25-year-old Mehraj-ud-Din Shah, who was shot dead by personnel of the Central Reserve Police Force in Budgam on May 13. The CRPF said that an Army convoy was passing through the road adjacent to the one on which Mehraj was driving his car in the wrong direction and that a bullet was fired “fearing a sabotage”. Hassan Shah rubbished the theory. According to him, when they reached the check point at Kawoosa village in Budgam, he was asked to show his identity proof. He alleged that a CRPF jawan fired at his nephew’s chest even as a local policeman had signalled that they could go. Mehraj’s story illustrates Kashmir’s tragedy and India’s moral arbitrariness: how the state is used to treating Kashmiri blood as “cheap”. That it is possible to deny Kashmiris justice. That it is okay to deny them justice.

The eminent author Mirza Waheed said to *Frontline*: “In Kashmir, India is increasingly behaving like Israel does in occupied Palestine. The punitive destruction of civilian homes, plunder, loot are actions characteristic of a plundering occupying army. Delhi is out to destroy Kashmir, but history tells us Kashmiris will not give up their struggle for self-determination despite the brutal attempts to restructure Kashmiri lives.” He was referring to the May 19 encounter of Junaid Sehrai in old Srinagar’s Kanimazar neighbourhood in Nawakadal, where

the security forces damaged or destroyed around 15 houses.

The bloodbath has continued throughout the lockdown. On May 16, head constable Mohamamd Amin was killed in a militant attack at Yaripora in Kulgam, while on May 17, the militant Tahir Ahmed Bhat and a soldier were killed during a security operation in Khotra in the Chenab valley. On May 18, a massive cordon-and-search operation was launched in multiple locations in South Kashmir’s Pulwama district, including at Rahmoo, Goosu, Murran and Ashmandar villages. According to the police, 73 militants have been killed in Kashmir in 2020, as many as 28 of them in April.

If the use of brute force was meant to deter militant activity, that did not happen. As per a report the security agencies prepared earlier this year, although home-grown militancy has seen a somewhat downward spiral since August 5, when Kashmir’s special status was revoked, as many as five new recruits join the militant ranks every month. No less than 135 home-grown militants and a total of 250 militants are active, a figure that mocks Modi’s self-applauding over Kashmir. Significantly, at least 20 soldiers have been killed this year, according to data collected by the South Asia Terrorism Portal; the government puts the number at 17.

Director General of Police, Jammu and Kashmir, Dilbagh Singh said during a media interaction on May 5 that anti-militancy operations would be intensified across Kashmir. He pointed out that fresh infiltrations had been reported in Baramulla and many militants were active in Sopore. In a recent interview to an English daily, Inspector General of Police Vijay Kumar said: “Whenever you eliminate the leadership, it will definitely bring down militant recruitment. Youths and their families will realise that violence isn’t an appropriate response to any issue and militants have to face such fate one day.”

The restless voices on the ground defy that notion. This reporter had travelled to the interiors of South Kashmir in the immediate aftermath of the Centre’s August 5 action. In a village called Pinjoora in Shopian, he interacted with an enraged crowd of over 50 youths. “Modi has left us with only two options: to either kill ourselves or fight to the end. Islam doesn’t permit one to commit suicide; we will fight to the end,” one of the young men said (“Insurgency in the air”, October 25, 2019).

Former Chief Minister Omar Abdullah attributes the spurt in violence to the Modi government’s policy failure. In an exclusive interview with this reporter soon after the Pulwama terror strike in February 2019, he said: “It is

The widespread sense of marginalisation is excluded from prime-time TV’s grating chatter on Kashmir.

impossible not to make a correlation between the NDA [National Democratic Alliance] coming to power at the Centre and the BJP-PDP [Bharatiya Janata Party-Peoples Democratic Party] alliance forming a government in the State in early 2015, and the deterioration in the situation....

“The Narendra Modi government’s inability to recognise Jammu and Kashmir as a political dispute, coupled with the anger that people [of the State] felt at the betrayal of their mandate for the PDP when the PDP tied up with the BJP and, of course, the manner in which the 2016 protests were handled, all contributed to militancy.”

This view was echoed in a report the Concerned Citizens’ Group brought out in December 2019 prepared by a team led by former Foreign Minister Yashwant Sinha. The report underlined the fact that people were of the view that protests and civil disobedience would not move the Centre towards a rethink of its policies on Kashmir and that this might lead to a new phase of militancy.

It is evident that the Modi government is impervious to people’s sufferings. The fulcrum of its politics in Kashmir rests on a matrix of “kill, maim, terrorise and enforce silence”. The recent first information reports against journalists in Srinagar are a testimony to that. But the question is, why would a state be fixated on enforcing silence rather than on redressing a simmering situation?

Perhaps, redress is not desired. Perhaps, denying a salient Muslim population its political voice is seen as redress. Political observers concur that the BJP and the Rashtriya Swayamsewak Sangh (RSS), its ideological fountainhead, have a civilisational agenda in Kashmir: to realign its demographics and swamp its culture. With a brute majority in the Lok Sabha and adequate numbers in the Upper House, the BJP-RSS feel that the time is now ripe to implement it. The new domicile law, which enables the influx of settlers from outside the region, is a step in that direction. To ensure that these settlers can be ferried in without fear of reprisal, it is imperative for the Modi government to benumb the natives.

A few piteous cries for justice can still be heard on social media. The BJP’s well-oiled public relations machinery dismisses them as an Islamist concoction. But can everyone in society be a fundamentalist? When a sizeable population yearns to give a passionate rendition of its truth, does that truth not deserve a hearing?

But the Indian masses, it seems, readily accept the blanket denial of the human rights excesses in Kashmir and thereby invalidate the historicity of its struggle. The RSS’ foot soldiers through a decades-long word-of-mouth relaying of provoking messages—an exercise that became easier, swifter and more raucous with the advent of the Internet—have thrust the bogey of a threat to national security and a perceived “Muslim threat” into the discourse on Kashmir to generate an automated apathy for everything that grieves Kashmiris. The travail of the dispossessed, like the families at Nawakadal, is not a part of India’s mainstream. □

Hate in the time of a pandemic

There has been a spike in **instances of Islamophobia**, unleashed apparently with the tacit support of powers that be, even as the COVID-19 pandemic rages across India. BY ZIYA US SALAM

IT HAS NOT BEEN EASY BEING A MUSLIM SINCE 2014: A virulent hate campaign on social media, exhortations to “go to Pakistan” at the slightest pretext and any criticism of the government being equated to criticism of the nation, with even the Prime Minister indulging in the innuendo of identifying protesters by their clothes.

A number of incidents of lynching went unpunished between September 2015 and April 2019. Even as the ruling Bharatiya Janata Party (BJP) gloated about the absence of communal riots during this period, lynching

became the new normal. In many ways, it replaced the age-old communal riots which impacted both communities, albeit disproportionately; with lynching, only one community suffered. Worse, the lynchers uploaded videos of their assaults, confident of their impunity.

In the few cases when the law did get them, as in the Jharkhand lynching case of 2017, where the attackers of the cattle trader Alimuddin Ansari were convicted, they were able to get bail and received a hero’s reception, with Union Minister Jayant Sinha greeting them with sweets

and garlands. (Incidentally, in early May, Sinha was part of a Central government team that met a section of Muslims after a number of West Asian countries condemned the hate campaign against Muslims in India. The brief of the meeting was to instil confidence in the community during COVID-19 and seek their support.)

At a time when the attention of the nation, and the government, should have been focussed on fighting the deadly virus and limiting the loss of life, a section of society, that enjoys the tacit support of powers that be, has unleashed a hate campaign against India’s largest minority.

From a vegetable vendor in Uttar Pradesh who was harassed by a BJP MLA for entering his colony, to vendors whose entry was banned in a colony in Delhi, to a full-term pregnant woman who was refused admission in a hospital in Rajasthan because she was a Muslim, to truck drivers not being allowed into Arunachal Pradesh, to a first information report (FIR) filed against a tweet by the Delhi Minorities Commission Chairman Zafarul Islam which led to Delhi Police officials landing up at his residence, to the Delhi Police arresting a four-month-pregnant anti-CAA activist, Safoora Zargar, and booking her under the draconian Unlawful Activities Prevention Act (UAPA), no one has been spared.

There were other arrests, such as those of Meeran Haider, Khalid Saifi, Ishrat Jahan and Asif Iqbal, all said to be involved in the anti-CAA protests, and accused of instigating violence in North East Delhi. If anybody needed proof that raising one’s voice against the government in a democracy was now akin to sedition, it was

provided over and over again with the arrests of activists who had agitated peacefully for equal rights as citizens.

Within days of the nationwide lockdown that was announced by Prime Minister Narendra Modi on March 24, the apolitical Muslim organisation Tablighi Jamaat was hounded by BJP leaders and the media alike for the spread of COVID-19. Union Minister for Minority Affairs Mukhtar Abbas Naqvi even equated the Tablighi Jamaat with the Taliban for hosting a conference on March 13-15 at its headquarters in Nizamuddin that was attended by over 3,000 volunteers from across India, besides Kyrgyzstan, Indonesia, Malaysia, Kuwait and Sri Lanka.

As news came in of six deaths in Telangana from among those who had attended the Tablighi conference, the political establishment went into overdrive to paint the Tabligh, and by extension, the Muslim community, as responsible for the spread of COVID-19. For days on end, the Delhi government led by Arvind Kejriwal issued a daily medical bulletin on COVID-19 with a special section on the “Nizamuddin markaz (centre) event”.

The Tablighi conference, entirely avoidable as it was, became an excuse to deflect the focus from the various failures of the Central government. Incidentally, as late as March 13, the Union Health Minister had dismissed the threat of COVID-19 as no medical emergency.

This relentless bid to stigmatise the Tabligh, and by extension Muslims in India, took a predictable turn. A person from Himachal Pradesh who attended the Tabligh meet in Delhi and who tested COVID-19 negative was so harassed by people of his villager that he took his own life.

The media largely chose to ignore the story. When the Tabligh members who had recovered from COVID-19 donated blood for plasma therapy, the media once again chose to underplay it.

The outburst against the Tablighi Jamaat unleashed a flood of Islamophobia. In Delhi, vendors were asked to show their Aadhaar cards before being permitted to enter residential colonies, and those with Muslim names were prohibited until the minorities panel intervened.

In Uttar Pradesh, the BJP MLA from Deoria Suresh Tiwari warned the public against buying vegetables from Muslims. Questioned about this later, he remained unrepentant. Shortly, his colleague Brij Bhusan Rajput was seen threatening a Muslim vendor on camera for entering his colony, telling him “not to be seen here in future”. For both Tiwari and Rajput, being a Muslim was reason enough not just for social exclusion but humiliation.

In Betul, Madhya Pradesh, Deepak Bunde, a lawyer, stepped out to buy medicines a day before the nationwide lockdown was imposed. He was first verbally abused for venturing out at a time when Section 144 had been imposed, and then assaulted by Madhya Pradesh police officials. Bunde went to a hospital with a friend and got a medico-legal case reported. As Bunde filed a

AT THE Nizamuddin Centre, New Delhi from where people were evacuated for COVID-19 testing, on March 31.



R.V. MOORTHY



R.V. MOORTHY

DURING A PROTEST against mob lynching and other issues, in New Delhi on September 25, 2019.

complaint with the District Superintendent of Police, and wrote letters to the Human Rights Commission, besides the Chief Minister's office, the police pressed upon him to take back his complaint, telling him they were willing to apologise and that he had been a victim of mistaken identity.

The police, in a conversation recorded by Bundele, claimed they thought he was a Muslim because he sported a beard.

Then there is the instance of Valentis Cancer Hospital in Meerut which advertised in a Hindi daily: "The hospital administration requests all new Muslim patients that they and their one designated caretaker get tested for COVID-19 and visit the hospital only if their reports are negative." No such condition was imposed on other religious communities. The fact that the action was a violation of the National Human Rights Commission's charter of patient's rights did not matter to the hospital. It was Islamophobia, plain and clear.

Unfortunately, the actions of Valentis, the Betul policemen, the Deoria MLA and a host of others who shared fake videos of Muslims spitting on food or sneezing together, are neither aberrations nor fleeting instances of a fringe element failing to see things in the light of the law.

Whenever Indians in West Asia, Canada, New Zeal-

and have given expression to their hatred of Muslims, the host countries acted swiftly not only to rein in the offending individuals, but punished them with loss of job or designation. No similar action has been attempted in India where the Prime Minister's tweet, terming the disease as one that does not see religion or race, came in too late to have an impact on the offending segment. By then the damage had been done.

International agencies have taken notice of the systematic persecution and victimisation of Muslims in India during the COVID-19 pandemic. The evidence came when a top United Nations official, highlighting India's long history of promoting peaceful and inclusive societies, voiced concern over incidents of "increased hate speech and discrimination" against the minority communities following the adoptions of the Citizenship Amendment Act. Under Secretary-General and the U.N. Special Adviser on Genocide, Adama Dieng, said he was "concerned over reports of increased hate speech and discrimination against the minority communities in India."

Dieng is not the only one concerned. A billion people share his anguish and apprehension. Maybe the Government of India does too, and the recent meeting with a section of Muslim intellectuals was a step in the right direction. □

Strangers in cities

The rush of migrant workforce to leave big cities in the wake of the lockdown lays bare the fact that they **do not figure in urban adaptation plans and policy initiatives.** BY **PURNIMA S. TRIPATHI**

WHEN LABOUR POWER IS SOLD LIKE A commodity at informal labour *chowks* (markets or hubs for recruiting daily wage workers) every morning in big cities across the country, it is not surprising that when the market shuts down it is no longer in demand. These semi-skilled migrant labourers are back on the road, not to be herded by agents or contractors to their work sites but to find their way back to their home States as the lockdown has left them in the lurch. Most of these informal sector workers have no identity, no dignified living space, no job profile, and no residence proof in the cities to which they had migrated in search of work. As such, they cannot be part of any government welfare programme.

It is surprising to note that the Central government could not, or did not, visualise the post-lockdown situation in which more than 139 million migrant workers (who include daily wage and contractual workers as per the 2011 Census) would be rendered jobless because of the lockdown.

There are various figures for the size of the migrant workforce, each calculated on the basis of different criteria. But there is no gainsaying that the number of those engaged in the informal sector is huge, comprising 90 per cent of the total labour force in the country. According to the 2011 Census, 35 per cent of the urban population of 377 million, across 8,000 cities, constitutes migrants. The NSSO 2007-08 figure puts the number of migrants at 288 million, with more than 56 per cent comprising those who migrated in search of employment.

Workforce migration happens between and within States. According to Professor Sneha Deshpande, who heads the economics department at Nagpur University and specialises in development studies, the combined figure for migrant labourers, according to the Census 2011, is 139 million.

In an interview to a national daily on May 17, Sneha Deshpande said the unfolding tragedy of migrant exodus was a result of the massive failure of governance at the city level during Lockdown 1.0 and, at the national level



A GROUP of migrant workers in New Delhi on May 20.

RAVI CHOUDHARY/PTI

during the second and third phases of lockdown. According to her, even the Economic Survey data have enough details to help the government plan for any eventuality in which it needs to bring all economic activity to a halt. “As per the Economic Survey of 2017, inter-State migration during 2011-16 was close to nine million,” she said. It is difficult to imagine how Prime Minister Narendra Modi’s policy advisers could ignore this basic data while contemplating a lockdown.

Sneha Deshpande said the Census report also showed that maximum migration happened from Uttar Pradesh and Bihar, followed by Madhya Pradesh, Rajasthan, Punjab, West Bengal, Uttarakhand and Jammu and Kashmir. These migrant labourers were headed to Delhi, Gujarat, Maharashtra, Tamil Nadu, Andhra Pradesh and Kerala. Had this information been taken into account, the Centre would have been prepared for the out migration from these State during the lockdown.

The Census report also lists the cities with maximum migrant population. During the first lockdown, had these cities proactively handled the migrants’ problems, like providing proper shelter and food, and had the Centre planned for their transportation during the second and third lockdowns, the tragedy witnessed on the roads today could have been avoided, she said.

Sanjay Singh, senior leader of the Aam Aadmi Party (AAP) and a Rajya Sabha member, said: “The fact is that this government is completely insensitive to the plight of poor people. It is only worried about those travelling in planes, not those trudging on the roads wearing *hawaii chappal*.”

Incidentally, he has been arranging food for migrants at his official residence in Delhi since late March. Initially he distributed cooked food to anyone who came to his house, now he is distributing dry rations. “This government neither has policy, nor is it sensitive to the plight of the poor people,” he said.

Sanjay Singh said inhuman treatment of migrant labourers was seen in Bharatiya Janata Party (BJP)-ruled States, where they were chased and lathi charged. He said the government should have announced at the beginning of the lockdown that trains would run for migrants wishing to go back home.

“This would have averted the chaos, panic and desperation that we are witnessing today. The way migrant labourers are walking back home or crowding railway stations, has nullified the purpose of the lockdown. Sending them back earlier would have made better sense,” he said. When the lockdown began there were only 300-odd cases of coronavirus infection, now with migrants scrambling to go back home, throwing physical distancing norms to the winds, the caseload has crossed a lakh.

Innumerable studies have shown that urban planning in India has completely bypassed the migrant population.

A study done jointly by Eric Chu, lecturer in planning and human development at the University of Birmingham, and Kavya Michael, associate fellow at The Energy and Resources Institute (TERI), Delhi, showed how



ARUNANGSURY CHOWDHURY

DAILY WAGERS from West Bengal’s Malda district who have been badly hit by the lack of work during lockdown and are struggling without sufficient food, in Mumbai.

urban plans left out the migrant population living in informal settlements. The study, titled “Participatory adaptation plans aren’t working for migrants in cities”, was published in the April 2019 issue of *Environment & Urbanisation*. Basically focussing on how cities grapple with climate change and design plans to deal with climate impacts, including precipitation and unpredictable shifts in temperature, the authors have highlighted that urban plans “seek to integrate basic development priorities while improving access to basic services like water, sanitation and health.” Owing to their unskilled, landless status, migrants are regarded as “out of state” citizens and have no access to formal public services such as state-based health schemes, ration and water. “In the event of a disaster they are prone to illness and death. Our study shows that city planners persistently fail to recognise migrants in urban adaptation plans and policies,” the study concludes.

The conclusions of the study, which was conducted in Bengaluru and Surat (Gujarat) to look at urban planning in the context of climate change policies, hold good for the entire country today.

Without wages, proper housing and access to state

welfare programmes, it is natural for the migrants to leave the cities for the semblance of social security in their home States. “This was a psychological need for them,” Sneha Deshpande said.

NON-CITIZENS IN THE CITY

In another comprehensive study by Ram B. Bhagat and published by the United Nations Children’s Fund (UNICEF) titled “Migrants (Denied) Right to the City”, the author has noted that though migrants contribute significantly to the growth of cities, they face severe barriers in terms of access to civic amenities, housing, employment, health care and restrictions on political and cultural rights. The author has shown how migrants, basically employed in informal sectors such as construction or self-employed as hawkers, vendors, rickshawpullers, domestic help, drivers, electricians, plumbers or home security guards work as casual workers and are open to the vagaries of the labour market and lack any social protection. This leads to their marginalisation in the city and exacerbates their vulnerabilities. Describing migrants as “non citizens in the city”, Bhagat says the planning process does not recognise migration as a component of any plan. “City planning is a failure in India,” he concludes.

Incidentally, urban renewal plans such as the Jawaharlal Nehru Urban Renewal Mission, the Rajiv Awas

Yojana and the Smart Cities project have ignored the migrants because these missions only address the issue of basic services for those who have documents to prove residence in a city over a period of time. In Mumbai, for example, the Maharashtra government’s slum rehabilitation programme makes those who built slum dwellings after January 1, 2000, ineligible for free rehabilitation. The Modi government’s ambitious Smart Cities Mission to develop cities across the country failed to take off for this very reason. The public policy think tank Observer Research Foundation undertook a study in greater Mumbai and Delhi to look at the progress of the project and concluded that it could not take off because of poor urban planning and the fact that it did not take into account the rural to urban shift of the population and economic and social inequalities. The study conducted by Nandika Chand concluded that the mission faced multiple challenges such as poor governance, absence of a clear policy, lack of long-term funds, existence of ideological differences and population increase.

With urban planning in a shambles, and the mission to improve the well-being of citizens a non-starter, it would be too much to expect that the milling migrants, denied government doles, would stay put in their cramped living spaces without daily income.

AN EYE WASH

“When Modi said *ghar me raho* [stay at home, don’t step out], did he even realise that lakhs of people have nothing which they can call home?” asks an urban planner working with a global consultancy firm in Delhi. This expert, who has worked with various development authorities in India for designing their spaces, says urban planning completely leaves out migrant workers. “On paper, everything is 100 per cent perfect, with 30 per cent urban habitation marked out for the economically weaker section. On the ground, however, there is nothing. The land developer-builder-bureaucrat nexus has such a stranglehold that the poor get nothing whatsoever,” he said. For example, when a real estate project is executed, 30 per cent of the land is shown as being allocated for the weaker sections because government rules stipulate that housing for the poor should be incorporated in the project. In reality, this 30 per cent of land is included in the apartment complexes as servants quarters, for which the builder charges extra from home buyers. “This is a vicious circle,” he said. This is the reason housing for the poor remains only on paper, and when a calamity such as the present pandemic strikes, the poor are clutching at straws.

As part of its COVID package, the government has announced affordable rental housing for the poor, a long-delayed initiative. On May 15, Finance Minister Nirmala Sitharaman, announcing an economic package for migrant workers, said the public distribution system benefits would be extended to eight crore migrant workers. The urban planning expert said at least now the government had a head count and this could be useful in future policy planning. □

Scapegoating China

As the COVID-19 death rate spikes and the economy tanks in the United States, Donald **Trump and his advisers target China** and the World Health Organisation with an eye to winning the forthcoming presidential election. BY JOHN CHERIAN

IT HAS BEEN APPARENT FOR SOME TIME NOW that the Donald Trump administration, in order to cover up for its failure to effectively combat the COVID-19 pandemic, is going all out to target China, where the first cases were detected. Under Trump's watch, the United States has recorded more than 1.5 million cases by the third week of May, with the death toll surpassing 90,000. According to the U.S. government's Centers for Disease Control and Prevention (CDC), the death toll will cross the 1,00,000 figure by June 1. Trump and his Secretary of State, Mike Pompeo, have not let facts stand in the way as they ratchet up their accusations against China.

The U.S. has accused China of letting the virus spread to the rest of the world by either suppressing or withholding information after the first infections were detected in Wuhan in end 2019. Anthony Fauci, head of the U.S. National Institute of Allergy and Infectious Diseases (NIAID), has once again reiterated that there is no scientific evidence to prove that the new strain of the coronavirus was created in a lab. "Everything about the stepwise evolution over time indicates that this virus evolved in nature and then jumped species," Fauci told the National Geographic news channel in a recent interview.

Trump announced in the last week of April that his administration was conducting "serious investigations" into Beijing's handling of the COVID-19 outbreak. The U.S. administration also spearheaded calls for an international probe. China said that an inquiry into the origins and spread of the pandemic could wait until the crisis subsided. The World Health Organisation (WHO) has always maintained that if there should be an investigation it should be "scientific based" and not politically motivated. The WHO has pointed out that the U.S. has so far not sent any data to back up the allegations by the U.S. President and his Secretary of State.

The first major diplomatic broadside by the U.S. administration openly targeting China came in April when Trump announced that his administration was withholding its annual contribution of \$550 million to the WHO. Trump virtually accused the WHO of mislead-

ing the international community about the origin and the spread of the virus during its early stages, in cahoots with the Chinese government. The Trump administration has also tried to portray WHO Director General Dr Tedros Adhanom Ghebreyesus as an incompetent administrator who is only interested in doing China's bidding.

Mike Pompeo has been taking to the airwaves claiming that his administration has proof that the COVID-19 virus had its origins in a Wuhan lab. Trump has not shied away from making similar accusations, suggesting that the virus accidentally escaped from a Wuhan biological weapons lab. U.S. intelligence agencies themselves have concluded, like most of the international scientific community, that the virus in all probability had leapt from an animal to a human in a non-laboratory setting, much like the Ebola, HIV and the SARS virus. Pompeo, however, continues to insist that the onus is on Beijing to prove that the virus did not originate from a lab. The virology institute in Wuhan targeted by the Trump administration of the lapse has received training and funding from U.S. institutes and scientists.

Peter Navarro, Trump's trade adviser and well-



TEDROS Adhanom Ghebreyesus, director general of the World Health Organisation, a file photo.



CARLOS GARCIA RAWLINS/REUTERS

CHINESE President Xi Jinping at the opening session of the Chinese People's Political Consultative Conference (CPPCC) at Beijing on May 21.

known anti-China hawk, went a step further and accused the Chinese government of deliberately spreading the virus.

He announced on prime-time television: "The virus was spawned in Wuhan province. Patient zero was in November. The Chinese behind the shield of the World Health Organisation, for two months hid the virus from the world, and then sent hundreds of thousands of Chinese on aircraft to Milan, New York, and around the world to seed that."

Another of Trump's close advisers on China, Michael Pillsbury, has suggested that the U.S. should demand \$10 million for each coronavirus death from the Chinese government. Trump has said that his administration is seriously contemplating claiming very substantial reparations from the Chinese. There is even talk of the U.S. President using his emergency war powers and defaulting on debts to China.

The accusations and rants against the Chinese by senior Trump administration officials continue to fly despite the Office of the Director of National Intelligence releasing a statement in the last week of April, which said that the U.S. intelligence agencies concur "with the wide scientific consensus that the COVID-19 virus was not man-made or genetically modified". Trump and his ad-

visers want to make China the core issue in the presidential election as the death rate spikes and the economy tanks. They seem to be willing to go to any extent to win the election.

Interestingly, until March this year, Trump was all praise for Chinese President Xi Jinping's handling of the crisis. "The United States greatly appreciates their efforts and transparency," Trump had tweeted on January 24. "It will all work out well. In particular, on behalf of the American people, I want to thank President Xi."

Pompeo, meanwhile, has been busy working the phone lines to persuade countries like India to follow suit and target China for the outbreak of the pandemic. Pompeo has had several conversations with India's External Affairs Minister S. Jaishankar.

The latest was a conference call initiated by the U.S. Secretary of State in the second week of May. The other Foreign Ministers participating included those of close allies like Australia, Israel, Brazil, Japan and South Korea. Pompeo openly lobbied for support for the Trump administration's confrontational stance against Beijing. The U.S. State Department spokesperson said that Secretary Pompeo discussed "the importance of international cooperation, transparency and accountability in combating the COVID-19 pandemic and in addressing its causes".

As the pandemic spreads, relations between India and China have encountered some turbulence. There have been two instances of brief physical skirmishes

between soldiers of the two sides along the Line of Actual Control (LAC) in early May. While the Indian side played down the incident, China accused India of “trespassing and illegally building defence facilities” in the Galwan valley area in the disputed Aksai Chin area. Then came the statement by the Indian Army chief, Gen. M.M. Naravane, that “a third party” was instigating the Nepal government to take a hostile stance in its border dispute with India. Both the Nepal and the Chinese governments were angered by this insinuation.

TAIWAN

The Trump administration wants countries like India to side with Taiwan as it seeks international recognition for its independence. As part of the efforts, the U.S. is pushing for Taiwan to be granted “observer status”, and eventual full membership, in the WHO. The current Taiwanese government has pursued an aggressive anti-unification position, unlike its immediate predecessor. India has so far been supported a “one China” policy and, despite New Delhi’s strategic embrace with Washington, is unlikely to give up on the long-held foreign policy principle.

Taiwanese Foreign Minister Joseph Wu made conference calls to Indian journalists and succeeded in making many leading Indian newspapers highlight the issue of Taiwanese independence on its front pages and op-ed columns.

Joseph Wu blamed the WHO for putting roadblocks in the cooperation between the two countries in the fight against COVID-19. The WHO chief Ghebreyesus had complained in April about racist tweets against him emanating from Taiwan and had blamed the country’s Foreign Ministry for orchestrating a month-long social media campaign against him.

India will take over the rotating chairmanship of the World Health Assembly (WHA), the decision-making body of the WHO, for a year. The Trump administration



NICHOLAS KAMM/AP

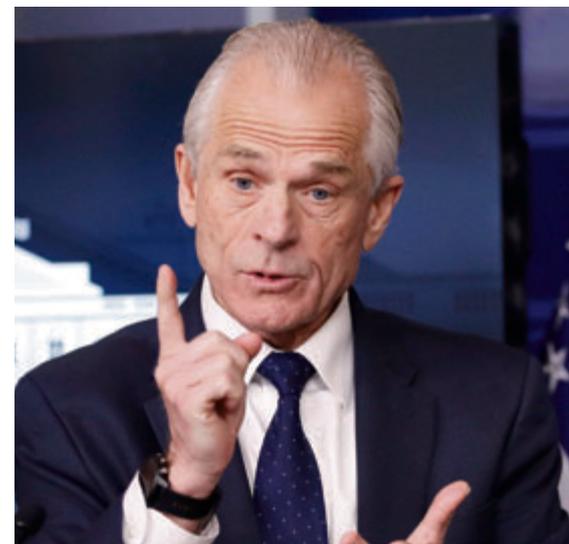
U.S. SECRETARY of State Mike Pompeo during a press briefing on May 20.

has made the restoration of Taiwan’s observer status a priority issue, but despite the intense lobbying the overwhelming majority of the United Nations member states have refused to be pressured on the issue. Taiwan announced on the first day of the 73rd WHA conference held from May 17-19 that it was keeping its bid for “observer status” in abeyance for the time being.

The Ministry of External Affairs has not commented so far on the issue. Beijing is closely watching India’s moves at the WHO. Taiwan is being praised by the West as an exemplar in the fight against COVID-19, with the claim that Taiwan, with a population of 23 million, had recorded only 350 cases and five deaths, and should therefore be accorded special treatment in the WHO. However, the fact of the matter is that 179 of the 183 member states of the U.N. do not recognise Taiwan’s statehood.

At the conclusion of the annual WHO meeting, the member states agreed to support an “impartial, independent” examination of the WHO’s role in coordinating the global response to COVID-19. There is no mention in the resolution about looking into the origins of the pandemic as demanded by the Trump administration. The WHO members, as well as officials from China, Russia and the European Union (E.U.), were critical of the heated rhetoric from the White House. The E.U. spokesperson said that “it was a time for solidarity, not finger pointing”. There was widespread agreement that Trump’s attitude and decisions were seriously hampering the WHO’s capabilities in effectively combating the virus.

The WHO chief welcomed an independent enquiry saying that “every country and every organisation must learn from its response and experience”. Ghebreyesus also emphasised the fact that the WHO had declared the coronavirus infection “a global health emergency”, its highest level of alert, on January 30. At the time, there were fewer than 100 cases outside China.



ALEX BRANDON/AP

WHITE HOUSE trade adviser Peter Navarro.



AFP

TAIWAN Foreign Minister Joseph Wu (right) and Health Minister Chen Shih-chung at a press conference in Taipei. Handout released on May 18 by Taiwan’s Centre for Disease Control (CDC).

In the following weeks, the WHO repeatedly warned that there was a narrowing “window of opportunity” to prevent the virus from spreading globally. The WHO declared COVID-19 a pandemic on March 11 after it sparked epidemics in South Korea, Italy, Spain and Iran.

The WHO’s seven-member internal oversight body in a report said that the organisation “demonstrated leadership” in the way it handled the pandemic crisis. The report was critical of the “rising politicisation of the pandemic response”, a not-too-subtle dig at the Trump administration.

China was quick to welcome the resolution calling for an inquiry. Xi Jinping said China supported the idea of a comprehensive review of the global response to COVID-19 and added that the review should be conducted in “an objective and impartial manner” under the scientific leadership of the WHO.

Xi, in his address to the extraordinary virtual meeting of heads of state and health experts from around the world, offered to provide \$2 billion to further bolster the fight against the pandemic. The amount promised is a substantial increase from the annual \$43 million China used to contribute.

Xi also announced more financial support and medical help for African governments in their fight against the pandemic. Xi said that China had set up a “global humanitarian response depot and hub to ensure the operation of anti-epidemic supply chain”. The Trump administration was quick to characterise the Chinese offer as “a token to distract from calls by a growing number of nations demanding accountability” from the Chinese government.

Even as the WHO meeting was in progress, Trump, to the surprise of the delegates and scientists present, threatened to permanently cut off its funding if the organisation did not “show substantive improvement” in the next 30 days. He cast aspersions on WHO’s integrity once again, stating in a letter to the WHO chief “that the

only way forward for the WHO is if it can actually demonstrate independence from China”.

Trump’s four-page letter to the WHO chief contained a litany of allegations. The British scientific journal *The Lancet* said in a statement that Trump had falsely attributed quotes from the journal. *The Lancet* pointed out that it had not published any report of a virus outbreak in Wuhan in December as claimed by Trump. The journal clarified that the first report it had published about the virus outbreak in Wuhan was on January 24.

When almost all national leaders and health ministers have praised the WHO for its handling of the pandemic, U.S. Secretary of Health Alex Azar struck a discordant note, criticising the WHO and China. Azar said: “We saw that the WHO failed at its core mission of information sharing and transparency when member states do not act in good faith.” It is obvious that targeting China, and the WHO, will be the main campaign plank of the Republicans as they seek to cover up their epic mismanagement of the COVID-19 pandemic.

Antonio Guterres, the U.N. Secretary General, in his address at the WHO conference, said that the pandemic should serve as “a wake-up call” for the international community. “We have seen some solidarity, but very little unity, in our response to COVID-19. Different countries have followed different, sometimes contradictory strategies, and we are paying the price,” he said. He warned that the virus was now spreading to “the global South, where its impact could be even more devastating”.

In South America, the infection rate had reached almost 5,00,000, with more than 23,000 deaths in the third week of May. Brazil, the worst affected country, has around half the cases and more than half the deaths. Brazil’s right-wing President Jair Bolsonaro, however, remains unperturbed and continues to rail against social distancing measures and wants Brazilians to continue with their normal lives even as the health care system there is teetering on the verge of collapse. □

Unemployment crisis in U.S.

The coronavirus pandemic has left the **U.S. economy bleeding jobs** in the millions while hunger and debt loom large. BY VIJAY PRASHAD

OVER THE PAST SEVERAL WEEKS, THE JOBS report of the United States Department of Labour has been stunning. The official unemployment numbers climb upwards as the government revises its estimates and takes into consideration the jobless claims filed every week. During the Great Lockdown, the official unemployment rate left 4 per cent and climbed above 15 per cent, the highest it has been since the Great Depression of the 1930s. If you look closely at the official report, it shows that about a third of the U.S. workforce is now unemployed.

Income is not coming into millions of households,

while their payments for rent and food continue to increase. Savings in the U.S. are abysmal, with the Federal Reserve pointing out that over a third of U.S. nationals have less than \$400 in their bank accounts for emergencies; this is enough for two weeks rent for an apartment in an average U.S. city. Government assistance has been anaemic, with the unemployment cheques coming in late; such large numbers of people are filing for the stimulus and the cheque that the already short-staffed departments have been overwhelmed, their systems slow and their helplines unreachable.

Without savings and without government assistance,



STEPHANIE KEITH/AFP

A LONG LINE of people wait to receive a food bank donation at the Barclays Centre in New York on May 15. Many U.S. cities and towns are dealing with some of the highest unemployment rates since the Great Depression.

the only two options that remain to buy necessary goods are through credit cards or to take assistance from food banks. Credit card debt has already begun to escalate. By the fourth quarter of 2019, before the Great Lockdown, U.S. household debt increased by \$193 billion, mostly through mortgage loans; the total household debt by the end of 2019 was at a record \$14.5 trillion. In the first quarter of 2020, U.S. household debt increased by an additional \$155 billion. But the U.S. Federal Reserve, which keeps track of these numbers, estimated that households would take on at least \$3 trillion in credit card debt in order to maintain their livelihood. This is an extraordinary amount, which comes with no guarantee of income to pay off the cards; high interest rates on these credit card loans will saddle U.S. households with debt for decades to come. Poorer households and African-American households have a higher chance of being adversely hit by the coronavirus recession; African-American families are 29 per cent more likely than white families to go seriously into debt.

Food banks report that they do not have the capacity to feed the long lines of people who come daily to collect prepared meals and canned goods. Before the pandemic, nearly 50 million people in the U.S. depended on food banks, while about 40 million people got their basic food through the U.S. government's Supplemental Nutrition Assistance Programme. Now, studies show that 44 per cent of the U.S. population has begun to feel the sting of hunger and, even with credit cards, is finding it too difficult to buy food. The data are marked by differences in backgrounds: 63 per cent of Latinos and 47 per cent of African Americans experience food insecurity compared with 39 per cent of whites. U.S. Department of Agriculture numbers show that before the Great Lockdown only 11 per cent of people in the U.S. experienced food insecurity; in two months that number has risen to 44 per cent, a startling climb. There is, as well, every indication that the question of hunger is going to become more dire for millions more people.

SMALL BUSINESSES

The Donald Trump administration pushed a Paycheck Protection Programme that was intended to extend the income for employees of small businesses. The government disbursed \$660 billion into this programme but then put some restrictions that make no sense. The programme says that 75 per cent of the funds must go to the salaries of the employees, while 25 per cent can go towards rent, mortgage payments and utilities. However, many shops, particularly those in cities, have high rents and few employees, which means that they cannot take advantage of the programme. Rent suspension is not on the cards, which means shops that cannot open because of the Great Lockdown must still pay rent, insurance and other fixed costs that are not being forgiven; in the short term, employees might get money through this programme, but if the businesses close down, their livelihoods will vanish.

Meanwhile, scandalously, large corporations pushed

their way to the front of the line and claimed some of the small business loans for themselves. The government outsourced the delivery of the loans to private banks, which collect fees from each loan; there is no incentive to monitor the loans and make sure that they are aligned with the principles of the small business loans. Some larger businesses returned the money after the scandals appeared in the press, but there is no confidence that hidden in the billions handed out there are no other such large firms that have been given favourable government loans.

A government report estimated that of the 30 million small businesses in the U.S., nearly 7.5 million are at risk of permanent closure before the summer is over and that 3.5 million might close imminently. These businesses employ 36 million people. The most burdensome expense is rent and mortgage payments. There is no question of suspending these payments, or at least the Trump administration has not had any public discussion about rent and mortgage payments.

Supply chains in food production have begun to falter. Meat-packing plants shut down because of high rates of COVID-19 infection within them. On April 28, Trump issued an executive order that ordered meat-packing plants to reopen since, he said, they are "critical infrastructure".

The response from workers at these plants was immediate. The next day, in West Columbia (South Carolina), 20 workers walked out of the House of Raeford chicken-processing plant because they felt endangered by its appalling working conditions. "We should feel appreciated seeing as how we're essential workers," Trey Jeffcoat told WLTX, a local television station. "If we're so essential, we need to feel essential and we need to feel appreciated." Naesha Shelton said: "Everybody else around here is getting hazard pay. Their jobs are looking out for them." The chicken plant owners are "treating us like slaves. That's how we feel. We're being treated like slaves."

Workers in plants across the U.S., from Lebanon County (Pennsylvania) to Monmouth (Illinois), have been demanding that their plants be cleaned and that they be given protective clothing. Nothing of this nature is on the horizon.

On May 7, representatives from National Nurses United, the largest professional body of registered nurses in the U.S., stood in front of the White House and demanded protective equipment for health care workers. "You talk about how essential, how needed, how grateful you are," Jean Ross, president of the organisation said, "and yet you throw us to the wolves." The nurses placed empty shoes at the protest site to represent the nurses who had died because they did not have sufficient protection. They read out the names of the 88 nurses who have died from COVID-19 in the U.S. On April 21, the nurses came to the White House to read out the names of the 50 nurses who had died by then. This will become a regular vigil. "Put yourselves in their shoes," the nurses said. "Honor the fallen and fight like hell for the living." □

Victory and vindication

An agency of the Madhya Pradesh government issues a **Termination Order** against the **Maheshwar hydro project** on the Narmada and brings to an end the over two-decade-long struggle against the project. BY **LYLA BAVADAM**

WHAT does it feel like to be vindicated after 23 years of shouting yourself hoarse and after facing legal and physical threats and standing up for the rights of the voiceless masses? Chittaroopa Palit has just one word to describe it: elation.

Her joy and relief stem from the Termination Order issued to Shree Maheshwar Hydel Power Corporation Limited (SMHPCL), which is owned by the S. Kumars group, for its 400 MW hydropower project on the Narmada river in Madhya Pradesh. Chittaroopa Palit, Alok Agarwal and others of the Narmada Bachao Andolan (NBA) have struggled for over two decades to halt the project. The Termination Order vindicates the NBA's position and is doubly relevant because it was issued by the very agency that SMHPCL was associated with, M.P. Power Management Company Limited (MPPMCL), an agency of the government of Madhya Pradesh.

The order, dated April 18, terminated the power purchase agreement (PPA) and subsequent amendatory agreements for the Maheshwar power project executed between S. Kumars and the State government and its agencies. The escrow agreement and the rehabilita-

tion agreement for the project were also terminated, vide orders dated April 20 and 21.

The reason for the termination was the cost of the power. The cost of generating power would have been Rs.18 per unit, which the Termination Order describes as "abnormal and very high, much beyond the initial estimations or the agreed capings, considering prevailing power market scenario and therefore to purchase power from the project by MPPMCL shall be at the cost, expense and burden of the general consumers of the State of M.P. as the entire power purchase cost is a pass through to the consumers.... Therefore, the continuation of the instant PPA... with SMHPCL is also against consumer and public interest." Thus, the project was terminated in the public interest.

There was more though. S. Kumars, the project's promoters, had repeatedly failed to comply with financial and technical deadlines. The Termination Order points this out and also says that this defaulting resulted in delays in commissioning the project. The order cites the direction of the National Company Law Appellate Tribunal in its judgment dated March 12, 2018, to the Central

government to carry out a forensic audit of SMHPCL under the supervision of the Comptroller and Auditor General (CAG) of India from 2005 or earlier in order to unearth fraud and to punish those responsible. The Termination Order points out that the direction for investigation makes it clear that some serious fraud had been committed with regard to the public funds infused into the project.

The Maheshwar dam, as it is commonly referred to, would have been one of the 30 large dams on the Narmada. If the gates of the dam had been closed, it would have submerged lands and homes in 61 villages in Madhya Pradesh's Khargone district. As it is, the presence of the dam wall resulted in the submergence of some villages between 2012 and 2013.

The dam was originally meant to



A. M. FARUQUI

AT A PROTEST against the Maheshwar project, in Mandleshwar, Madhya Pradesh, on March 17, 2008.

be implemented at a capital cost of Rs.465 crore, which the State ultimately said it lacked. So, in 1994 it was privatised, the first and only such dam on the Narmada to be so (it was also India's first privatised dam). In 1994, it was given to S. Kumars through a PPA, which Chittaroopa Palit describes as "anti-people". Under one of its clauses, the Madhya Pradesh government would have had to pay S. Kumars crores of rupees of public money every year for 35 years from the date of the commissioning of the project whether or not it purchased the electricity. When S. Kumars came into the picture, the capital cost of the project was Rs.1,489 crore, which was later increased to around Rs.1,500 crore.

Throwing light on the convoluted financial deal, Chittaroopa Palit said: "The 400 MW Maheshwar project was slated to generate electricity mainly in the four monsoon months at a time when electricity is in excess, that too a mere 80 crore units, whereas after meeting the entire demand of Madhya Pradesh, there is a surplus of 3,000 crore units available at Rs.2.5 per unit. But as per the PPA..., even if the State government did not purchase this prohibitively expensive electricity, it would still have to pay around Rs.1,200 crore rupees per annum, which for 35 years adds up to a whopping Rs.42,000 crore. Thus, it is clear that Rs.42,000 crore belonging to the public of Madhya Pradesh

would have been looted even without purchase of electricity from this project, from which they have been saved by the termination of the PPA."

Explaining the core of the NBA's fight, Chittaroopa Palit said: "From the very beginning, there were many financial irregularities and defaults surrounding this project, because of which the work of the project was stopped... for the last 10 years. Whether Congress or BJP, all governments have attempted to benefit the project promoters at the cost of the public. The... CAG of India has in as many as five reports—of 1998, 2000, 2003, 2005 and 2014—recorded various grave financial irregularities relating to the project. In its 2014 report, the CAG of India asked why the government had not terminated the PPA. Apart from this, in 2001, the erstwhile head of the lenders consortium, IFCI Ltd, had clearly stated in its report that S. Kumars had diverted Rs.106.4 crore of public funds meant for the Maheshwar project to other entities, including a sister concern. In this regard, since 2001, the Narmada Bachao Andolan has been repeatedly demanding a forensic audit of the use of thousands of crores of rupees of public funds raised by Shree Maheshwar Hydel Power Corporation Limited for the Maheshwar project. It is noteworthy that in its order dated March 3, 2018, the National Company Law Appellate Tribunal [NCLAT] directed a forensic audit of the SMHPCL, under the guidance of the officials of the CAG of India." The Termination Order also refers to the forensic audit the NCLAT mentioned.

The NBA painstakingly gathered data, met with the Chief Minister and heads of banking and financial institutions, filed petitions, dealt with lawsuits and threats of physical violence and kept up the spirits of the local people as it built up a case to show that the project was unviable.

Between 1999 and 2000, the case for the dam started crumbling. The NBA had taken the battle to the international level. Foreign companies associated with the project such as VEW Energie, Bayernwerk, Siemens and Ogden Power backed out. En-



A VIEW of the Maheshwar dam, a 2010 photograph.

BY SPECIAL ARRANGEMENT

raged at the NBA's success, S. Kumars took the matter to court and got a gag order issued against the NBA that lasted for 10 years and prevented the activists and the affected people from holding press conferences or demonstrations. Protesting that there was no effective rehabilitation and resettlement plan for the 60,000-plus people who would be affected by the project, the NBA filed petitions before the National Green Tribunal and the High Court of Madhya Pradesh. The court directed completion of rehabilitation of people before submergence. Chittaroopa Palit said: "It is noteworthy that even after 23 years, more than 85 per cent of the rehabilitation of the affected people remains to be done and the full extent of submergence remains unknown."

The fight against this dam has been long and hard. In the early days of the fight, communication consisted of an erratic landline phone connection. And though the affected people believed they were being wronged, they were often overwhelmed and frightened by the might of the government and private enterprise. It was the total commitment and creativity of the activists that kept up the fighting spirit of the affected people, and sometimes, this was done through audacious plans. One such was the dawn raid on the dam that this correspondent was witness to. It was a memorable example of activism in the late 1990s.

After leaving Mumbai at 5 p.m. and driving through forest areas through the night, the *Frontline* team of this reporter and the photographer Vivek Bendre arrived at Maheshwar at 4 a.m. The village of Sulgaon was quiet but people were wide awake. There were no lights,

but the people still stuck to the shadows when they moved about. Commands were passed in low whispers. The only other sounds were those of the night, some of which the villagers imitated in a prearranged code. The village animals were tethered but restless and uneasy at this unaccustomed activity. There were people from the neighbouring villages of Mardana, Behgaon, Pathrad, Bhatiyani and many more that were affected by the dam. There must have been about 3,500 people there, but one would not have known it. As daylight started to tinge the sky, there was palpable excitement and tension. It was easier to see the numbers now. They had been stationed at various spots. And then as dawn broke, on one command, they all rose and charged, a wild rush of more than 3,500 people breaking cover yelling, screaming, dodging trees, stumbling over rocks until they arrived at their objective: the large, rocky blasted site of the reservoir basin. Chittaroopa Palit and Agarwal's dawn raid to capture the Maheshwar basin was a success. The police had been expecting some action—it was, after all, the peak of the activism in the 1990s—and had stationed personnel on the dam wall side. They least expected the raid to literally occur behind their backs.

The victory was, of course, short-lived. Police personnel outnumbered the protesters. They swarmed down the sides, lathis flailing. The police-women true to their training reached under the hems of saris to give a fierce tug on petticoats to loosen them and cause the saris to come loose, leaving the woman protester more concerned about her modesty than the protest. But, wise from past experience, the activists had tied

CORDS around their waists to hold their saris and thus were safe.

It did not take long for the police to round up the protesters, pack them into vans and take them to jails in neighbouring towns. This was the expected outcome and did not detract from the success of the dawn raid. It was a gallant effort, and the victory, though brief, bolstered the determination of the village residents.

Although the Termination Order has been issued, a few questions remain. What happens to the actual dam itself? The dam wall has been standing 36 metres above the reservoir basin since 2011 when it was completed, but it has received no regular maintenance. The Madhya Pradesh Energy Department said in a letter dated April 28, 2016: "There has been no maintenance of the dam, powerhouse and hydraulic gates and dewatering of powerhouse from 2012, because of which the gates have become damaged and are in a dangerous condition, and the entire Maheshwar project has fallen into disarray."

The dam wall has to be decommissioned and demolished. The river will then be able to flow freely and bring back some semblance of earlier life. Water pollution levels will drop, local fishing activity will resume as can riverbed cultivation in the dry months. It will also ease downstream and upstream submergence, especially of those areas that had already gone under water. The S. Kumars company bought some of the land for the dam and the government acquired some. The acquired land could either be used for some public cause or revert to the original owners. It would be a semblance of justice if it was the latter. □

A Bill to ‘corporatise’ farming

The draft Bill on land leasing in Punjab is aimed at promoting the interests of agribusiness corporations. It will have **devastating consequences** for peasants in the State. BY **SUKHPAL SINGH**

THERE is no doubt that agricultural land leasing laws in India should be amended to make land leasing lawful and easier. The NITI Aayog Report (2016) proposed, on the grounds of efficiency and equity, a formal model law on leasing (Model Agricultural Land Leasing Act, 2016) and even a model land leasing agreement. The draft Punjab Land Leasing and Tenancy Bill, 2019, seeks to open up the land lease market in the State. The Bill, once enacted, will replace six laws, pertaining to tenancy, occupancy rights

of tenant, security of tenure, and colonisation of government land, which were enacted during the 19th century and the 1950s.

Although prima facie one would have no issues with such a law, the context of Punjab and the nature of the Bill raise concerns. The Bill does not even, unlike NITI Aayog’s model land leasing Act, 2016, give the rationale for the drastic change of regulation from a ban on tenancy and ceiling on landholdings to a “free for all” land leasing system.

It is common knowledge that

leasing happens on a large scale in Punjab, although illegally or informally. Punjab is also known for reverse tenancy where, unlike most of the rest of India, large and medium farmers lease in lands of marginal and small farmers, who then become landless labour. Reverse tenancy, according to a recent research by H.S. Shergill (2019), can be seen in the fact that the average size of tenant landholding, including one’s own land, was double (17 acres) that of the pure owner average landholding (8 acres). Further, on average 48 per



A COMBINED harvester being used in a wheat field in Rupnagar district of Punjab on April 16.

cent of the tenant farm area was on leased land. Moreover, 82 per cent of the leased area was with those owning more than 10 acres each (those who are officially termed medium or large landholders in India); such holdings accounted for 55 per cent of the total operated area of the State. Small and marginal farmers leased in only 5 per cent of the total leased area. Significantly, 83 per cent of the lessee farmers had tractors, 78 per cent had electric tubewells and 56 per cent employed permanent labour.

Further, the overwhelming proportion of the tenancy in Punjab—95 per cent—was cash rent based. Punjab is one of the five States in India, along with Haryana, Tamil Nadu, Telangana and Andhra Pradesh, where cash rent tenancy accounts for more than half the number of all lease deals. This makes it even more significant to examine the provisions of the Bill.

It is shocking that the Bill does not set any limit or range on leased area and the amount of rent per acre, that too when rents in Punjab are exploitative, especially in the case of small lessees who cannot compete with large land lessees. Further, the landless trying to lease in their share of panchayat lands have suffered from an unfair competition even though they have to pay one-third of the actual rate for general category bidders when bidding for such lands. The NITI Aayog's model Act at least suggested limits on leasing by corporate entities by setting ceilings on land ownership in each State.

LEASE FOR 15 YEARS

The mention of the term “company” in the Bill clearly points to its intention to “corporatise” farming in the State. Rather, it is more about giving an already existing illegal practice legal protection, recognition and sanction. It is as if the proposed legislation seeks to allow corporate farming without it having to actually own the land. This is facilitated by the proposal for the term of lease to be up to 15 years.

This is completely unreasonable as it is the time frame of a generation.

Why would individual farmers need such long-term leases? And why would an individual want to bear the risk of leasing for such a long term? It also points to the opening of a window for corporates to invest in agribusiness around farms and secure captive supplies without actually owning the land or having to make the required investments that would entail.

The Bill exempts from its purview land owned by the Central government, State government, urban local bodies and panchayati raj institutions, including land owned by a gram panchayat. The move to keep outside the scope of regulation any land owned by trusts, religious institutions such as temples and those owned by panchayats does not appear to make sense. If groups and agencies can lease in, why cannot groups and institutions lease out? In fact, most institutional land has been kept out of the ambit of the proposed law.

UNWRITTEN LEASE AGREEMENT

Like NITI Aayog's model land leasing Act, this Bill allows an unwritten lease agreement, which goes against the very intention of the Bill. The Bill justifies this on the pretext that unwritten leases have been there for many years. If an oral lease can be legal, then why should a written lease agreement be prescribed? The Bill does not even provide a model agreement, unlike the NITI Aayog model Act.

The Bill allows tenants/lessees to use the land lease agreement to avail themselves of loans. It states that the lessee shall, without creating any encumbrance on the land, have the right to raise crop loans or any loan from a bank, cooperative society or any other financial institution to carry out agriculture and allied activities.

However, a lessee, on the commencement and during the period of lease, shall not be entitled to sublet or part with the possession of the land in favour of any person other than the lessor. So, the critical question of how a mortgage can be raised has

escaped the attention of the draft Bill. The Bill also allows the engagement of employees in any capacity or labour for cultivation of land by excluding it from the definition of subletting, underletting or parting with possession of the leased land.

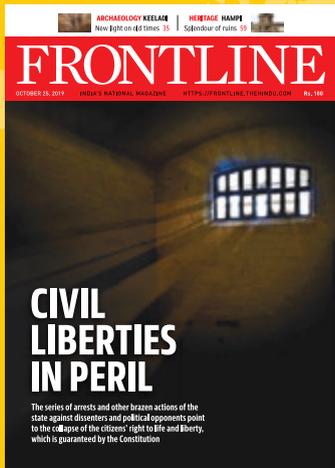
More importantly, the Bill states that the lessee shall be entitled to take land on lease from one or more than one lessor and cultivate any extent of land for agriculture and allied activities. This will lead to concentration of land under lease. What is important today is not ownership, but control of land; this is what the Bill facilitates. This would lead to skewed benefits from farming as those who have resources would not let others access land on lease.

In order to prevent excessive concentration of land in the hands of a few persons, the land ceiling limits for ownership in the State should have been considered as ceiling for leasing in of land. The Bill, by design, renders the land ceiling legislation ineffective and irrelevant. To appreciate the enormity of what is being done, one needs to only understand that agribusinesses are more interested in gaining control of land on a long-term basis. They are not interested in ownership. This is exactly what the Bill facilitates.

The proposed legislation will also have adverse consequences for contract farming and direct purchase of produce from farmers. Once companies have access to leased land, they will engage in corporate farming rather than deal with hundreds of small and medium contract and non-contract farmers for their raw materials or other produce requirements. That will only mean accumulation without dispossession.

Finally, it is important to remember that marginal and small farmers cultivate only 8 per cent of the land in Punjab. If this Bill—a caricature of the NITI Aayog model Act—is passed into law as it is, it would result in the elimination of small and marginal farmers in Punjab. □

Prof. Sukhpal Singh is Chairperson, Centre for Management in Agriculture, Indian Institute of Management-Ahmedabad.



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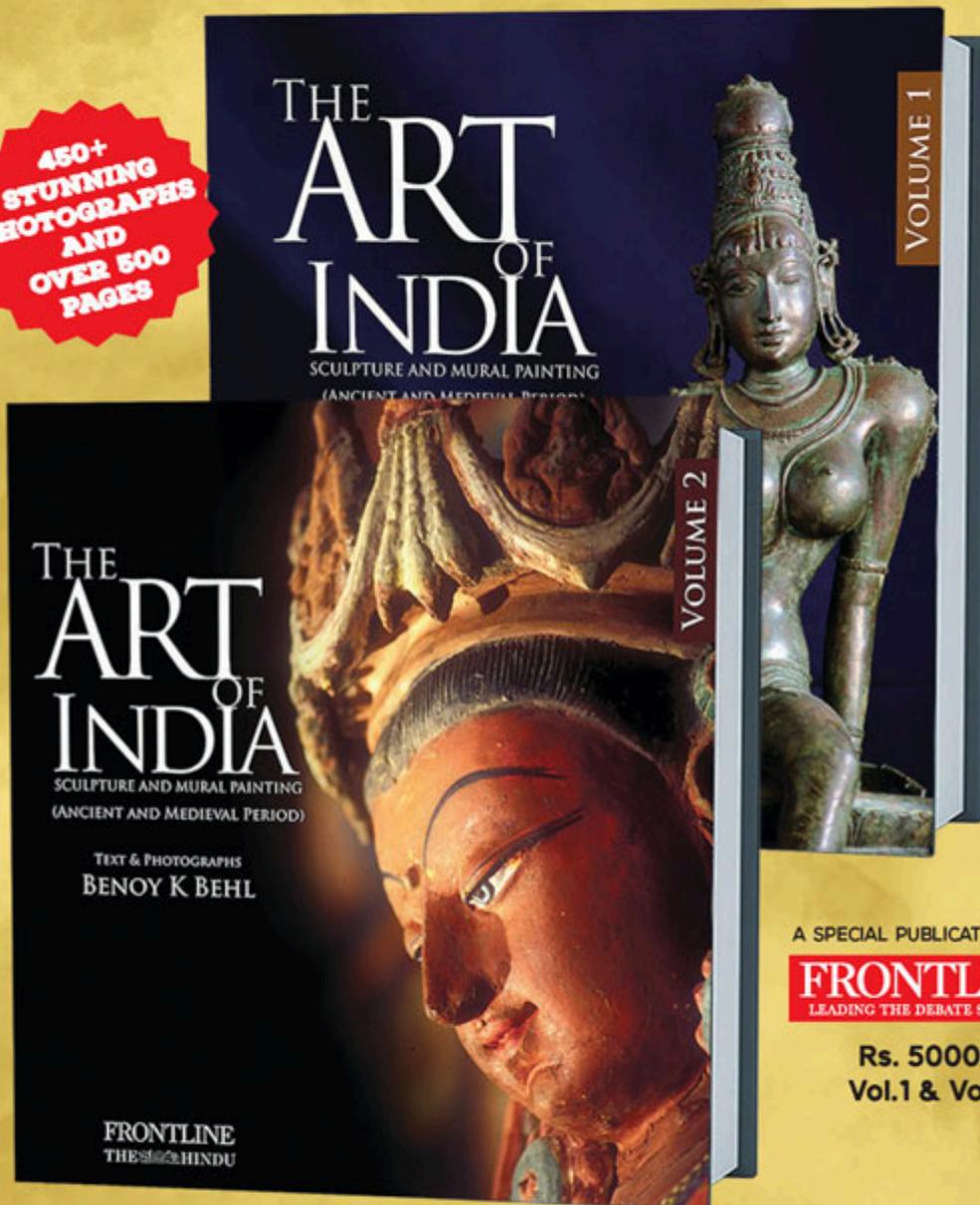
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